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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10184

TRANSFERRING CERTAIN LAND COMPRISING A PORTION OF THE ARECIBO COAST GUARD LIGHTHOUSE RESERVATION TO THE INSULAR GOVERNMENT OF PUERTO RICO

WHEREAS a certain parcel of public land at Arecibo Harbor, Arecibo, Puerto Rico, was reserved for lighthouse purposes of the United States of America by Proclamation No. 503 of June 30, 1903 (33 Stat. 2315), and now comprises the Arecibo Coast Guard Lighthouse Reservation; and

WHEREAS a portion of such land is no longer required for lighthouse purposes or other purposes of the United States, and it is in the public interest that such portion be transferred to the Insular Government of Puerto Rico:

NOW, THEREFORE, by virtue of the authority vested in me by section 7 of the act of March 2, 1917, 39 Stat. 954, it is ordered that the following-described land comprising a portion of the Arecibo Coast Guard Lighthouse Reservation be, and it is hereby, transferred to the Insular Government of Puerto Rico:

Beginning at a point which is 429.85 feet distant and bears S. 37°-09'-46'' W. from the center of the Arecibo Light tower; thence proceeding N. 41°-00'-23'' W. a distance of 394.65 feet to a point; thence proceeding N. 57°-42'-37'' E. a distance of 246 feet more or less to a point on the high water mark of the Atlantic Ocean; thence proceeding in a westerly, southerly and southeasterly direction along the said high water mark to a point; thence proceeding N. 66° E. a distance of 373 feet more or less to a stake; thence proceeding N. 79°-51' W. a distance of 152.00 feet to the point of beginning; comprising 5.0 acres, more or less.

The said proclamation of June 30, 1903, is modified accordingly.

HARRY S. TRUMAN

THE WHITE HOUSE,
November 24, 1950.

[F. R. Doc. 50-10791; Filed, Nov. 24, 1950; 2:39 p. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 960—IRISH POTATOES GROWN IN MICHIGAN, WISCONSIN, MINNESOTA, NORTH DAKOTA, AND IN CERTAIN COUNTIES OF IOWA AND OF INDIANA

EXEMPTION CERTIFICATES, SAFEGUARDS, AND DETERMINATIONS

The rules, regulations, and determinations hereinafter set forth were recommended by the North Central Potato Committee established under Order No. 60, as amended (15 F. R. 6956), regulating the handling of Irish potatoes grown in the States of Michigan, Wisconsin, Minnesota, North Dakota, and in certain counties of Iowa and of Indiana, issued under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). Such rules, regulations, and determinations are necessary to enable the committee to administer the terms of said order and regulations issued thereunder, will tend to effectuate the declared policy of the act, and are, therefore, hereby approved. Such rules, regulations, and determinations supersede the exemption rules and regulations heretofore issued under § 960.5 of Order No. 60 and currently in effect pursuant to § 960.86 (b) of Order No. 60, as amended, and such prior rules and regulations are hereby terminated and revoked as of the effective date of the rules, regulations, and determinations hereinafter set forth.

It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective is insufficient therefor because potatoes are now being shipped from the production area and any delay in making this section effective will tend to prevent effectuation of the policy of the act.

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

The approved rules, regulations, and determinations are as follows:

Sec.
960.101 Definitions.
960.102 Area determinations.
960.103 Exemption certificates.
960.104 Safeguards for special purpose shipments.

AUTHORITY: §§ 960.101 to 960.104 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

§ 960.101 *Definitions.* For the purposes of §§ 960.101–960.104, inclusive, order means Order No. 60, as amended (§§ 960.1 to 960.92) (15 F. R. 6956), regulating the handling of Irish potatoes grown in the States of Michigan, Wisconsin, Minnesota, North Dakota, and in certain counties of Iowa and of Indiana, and the terms used in such sections shall have the meanings set forth in §§ 960.1 to 960.92.

§ 960.102 *Area determinations.* (a) "Immediate area of production" is synonymous with "district;" and (b) "Immediate shipping area" means the district wherein the potatoes to be covered by a handler exemption will be first handled under such exemption.

§ 960.103 *Exemption certificates*—(a) *Application.* Each producer and handler applying for exemption from regulations issued pursuant to § 960.52 shall file such application with the committee, or its duly authorized agent for such purpose, on forms to be furnished by the committee. Each application shall state the name and address of the applicant; the grade, size, and quality regulations from which exemption is requested, and facts demonstrating that the potatoes, for which exemption is requested, were adversely affected by acts beyond his control or by acts beyond the applicant's reasonable expectation. Each application for an exemption certificate must be accompanied by a Federal-State Inspection Certificate or Certificates covering the lot or lots of potatoes for which exemption is requested: *Provided*, That the committee may authorize the submission of such Federal-State Inspection Certificates subsequent to the filing of the applications for exemption and prior to consideration of such applications. In addition, applications shall set forth such additional information as the committee may find necessary in making determinations with respect thereto, including, without limitation thereto, the information required on producer applications by subparagraphs (1) and (2) of this paragraph, and the information required on handler applications by subparagraphs (3) and (4) of this paragraph:

(1) The location of the farm or farms on which potatoes for which exemption is requested were produced, or, if such potatoes are stored, the location of the storage where such potatoes are held, the location where such potatoes are to be processed, and the loading point from which such potatoes are to be shipped if exemption is granted;

(2) Acreage and quantity (by grade, size, quality, and variety) of potatoes harvested prior to the date of application and to be harvested, subsequent to such date, during the remainder of the season or specific portion thereof (as may be determined pursuant to the order); the quantity (by grade, size, quality, and variety) of potatoes disposed of prior to the date of application and to be disposed of subsequent to such date; the location of the potatoes to be disposed of, together with the place where such potatoes will be first handled; an estimate of the portion of such potatoes which can be handled under regulations issued pursuant to § 960.52, during the remainder of the season or specific portion thereof (as may be determined pursuant to the order); and the reasons why all of such potatoes cannot be handled under such regulations;

(3) The quantity (by grade, size, quality, and variety) of potatoes acquired by the applicant and stored during and immediately following the digging season, with appropriate identification of the location of individual storage bins, and a statement as to the reasons why the specified quantity of such potatoes remaining in storage cannot be handled under regulations in effect on and subsequent to the date of the application;

(4) The quantity (by grade, size, quality, and variety) of potatoes acquired by the applicant and stored during and immediately following the digging season, which were handled prior to the date of the application;

(5) Any applicant who is a producer of potatoes and a handler of potatoes produced by others may be required by the committee to distinguish between his producer and handler operations in submitting reports and data with respect to his applications for exemption.

(b) *Investigation of applications.* The committee may authorize investigations of applications by its employees, Federal-State inspectors, and such other persons as may be necessary to procure adequate information to pass upon the merits of such applications.

(c) *Issuance.* (1) The committee, or its duly authorized agents, shall give prompt consideration to all statements and facts relating to each application for exemption, and, pursuant to applicable provisions of the order, a determination shall be made as to whether or not the application is approved. The determination, if approving the application, shall be evidenced by the issuance of a certificate of exemption pursuant to § 960.72: *Provided*, That more than one certificate may be issued, at the request of an applicant, where the applicant ships or causes to be shipped the total quantity of exempted potatoes in more than one lot, in which case each certificate so issued shall be limited to the quantity of exempted potatoes to be contained in the respective lots shipped and the total quantity of exempted potatoes covered by such certificates shall not exceed the total quantity of such potatoes which would be authorized if only one certificate were issued to such applicant.

(2) The applicant shall be notified in writing if his request for exemption is denied.

(3) Each exemption certificate issued pursuant to this subpart shall be on a form duly approved by the committee and signed by an authorized representative of the committee. At least one copy of each exemption certificate issued shall be retained in the committee records. Each such certificate shall contain the name and address of the recipient, the location of all potatoes authorized to be shipped thereunder, the quantity (by varieties, grade, size, and quality) of potatoes which will be permitted in the exempted shipments, and such other information as may be deemed necessary by the committee to provide the committee, the recipient, or both, with adequate and specific information regarding such exempted potatoes.

(d) *Disposition of certificates and reports.* Each lot of potatoes handled under an exemption certificate shall be accompanied by such certificate or by such appropriate identifying information with respect to such certificate as the committee may require to facilitate the administration of regulatory provisions applicable thereto. Handlers of pota-

toes exempted from regulation under exemption certificates shall, at such time as may be specified in such certificate, report thereon to the committee the names and addresses of persons to whom such potatoes were shipped, the quantity shipped, the grades, sizes, and qualities (by varieties) of potatoes so shipped, the inspection certificates issued with respect thereto, the dates of such shipments, and such other information as may be requested by the committee in order to administer the regulatory provisions applicable thereto.

(e) *Appeals.* If any applicant is dissatisfied with the determination of the committee regarding an application for an exemption certificate, or any duly issued exemption certificate, an appeal by such applicant may be taken to the committee in accordance with § 960.74.

§ 960.104 *Safeguards for special purpose shipments*—(a) *Application for Certificates of Privilege.* (1) All handlers desiring to make shipments of potatoes for the following purposes shall, prior thereto, apply to the committee for and obtain a Certificate or Certificates of Privilege permitting such shipments:

(i) Storing, grading, or both, within the production area and more than 35 miles from the field where the potatoes are grown;

(ii) Seed as defined in § 960.12 (b);

(iii) Export;

(iv) Livestock feed, except dyed potatoes distributed for livestock feed by the Federal Government;

(v) Manufacture into starch or alcohol, and

(vi) Experiments conducted by Federal or State agencies.

(2) Applications for Certificates of Privilege shall be made on forms furnished by the committee. Each application shall contain the name and address of the handler, and such other information as the committee may require, such as, but not limited to, the quantity and varieties of potatoes to be shipped, the grades, sizes, and quality of potatoes to be shipped, the mode of transportation, name of consignee, destination, and other appropriate information or documents necessary to safeguard against the entry of such potatoes into trade channels other than those for which the Certificate or Certificates are granted.

(b) *Issuance.* (1) The committee, or its duly authorized agents, shall give prompt consideration to each application for a Certificate of Privilege and, pursuant to applicable provisions of the order, shall determine whether the application is approved. Approval of an application shall be evidenced by the issuance of a Certificate of Privilege authorizing the applicant named therein to ship potatoes for a specified purpose for a specific period of time.

(2) Certificates of Privilege will be issued for seed, other than seed potatoes certified as provided in § 960.12 (a), only for the period February 10 to June 1 of each year for Iowa District No. 1 and in Indiana District No. 1, and for the period March 15 to June 1 for the remainder of the production area, and certificates so issued shall authorize shipments of seed potatoes covered thereunder only within the State where such potatoes are grown.

(c) *Reports.* Each handler shipping potatoes under and pursuant to a Certificate of Privilege shall, within 24 hours after each such shipment is made, supply the committee with a report thereon, showing the name and address of the shipper, car or truck license number, Federal-State Inspection Certificate number for shipments for export, for manufacture into starch or alcohol, and for experiments conducted by Federal or State agencies, loading point, destination, and consignee.

(d) *Denial and appeals.* The committee may rescind a Certificate or Certificates of Privilege, issued to a handler pursuant to this section, or deny Certificates of Privilege to a handler upon proof, satisfactory to the committee, that such handler has shipped potatoes contrary to the provisions of this section. Such committee action denying a Certificate or Certificates of Privilege shall apply to and not exceed a reasonable period of time as determined by the committee. Any handler who has been denied a Certificate of Privilege, or who has had a Certificate of Privilege rescinded, may appeal to the committee for reconsideration. Such appeal shall be in writing.

Done at Washington, D. C., this 22d day of November 1950, to be effective 12:01 a. m., November 28, 1950.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-10789; Filed, Nov. 27, 1950; 8:53 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

CONTROL OF SUBVERSIVE ACTIVITIES

NOVEMBER 9, 1950.

The following amendments to Chapter I, Title 8 of the Code of Federal Regulations, are hereby prescribed:

Subchapter A—General Provisions

PART 90—BOARD OF IMMIGRATION APPEALS

Subparagraph (2) § 90.3 (a) is amended so that when taken with the introductory sentence it will read as follows:

§ 90.3 *Cases appealable to the Board of Immigration Appeals; powers of Board; finality of Board decisions.* (a) When the Commissioner, or officers designated by him, exercise the power and authority of the Attorney General delegated to them by provisions of this chapter by entering orders in proceedings under the immigration, nationality, or other laws administered by the Service, such orders shall be final except that appeals therefrom shall lie to the Board of Immigration Appeals if the orders, whatever their nature (excluding mitigation of fines and penalties), are issued in:

* * * * *

(2) Deportation proceedings, except as provided in § 90.10 (b) and those cases mentioned in §§ 151.5 (e) and 152.6 of this chapter in which the decision has become final because the alien has not filed exceptions to the decision of the hearing officer;

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

Sections 110.27, 110.28, and 110.29 are revoked.

PART 117—FOREIGN GOVERNMENT OFFICIALS

The following new part is added:

Sec.
117.1 Definitions.
117.2 Qualifications.
117.3 Authority to admit.
117.4 Time for which admitted.
117.5 Exemptions.
117.6 Extension of stay of employees; procedure.
117.7 Violation of status.

AUTHORITY: §§ 117.1 to 117.7 issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458. Interpret or apply 10th proviso, sec. 3, 39 Stat. 878, sec. 3 (1), 43 Stat. 154, 54 Stat. 711, secs. 14, 15, 43 Stat. 162, sec. 23, 43 Stat. 165; sec. 32, 54 Stat. 674; Pub. Law 831, 81st Cong.; 8 U. S. C. 136 (r), 203, 214, 215, 221, 453.

CROSS REFERENCES: For consular procedure with respect to foreign government officials, see 22 CFR Part 42.

For special provisions with respect to manifesting foreign government officials, see § 107.21 of this chapter.

For head tax exemption for foreign government officials, see § 105.3 (a) of this chapter.

For exemption for foreign government officials from registration and fingerprinting under Alien Registration Act, 1940, see Part 170 of this chapter and 22 CFR 42.386.

§ 117.1 *Definitions.* As used in this part, the term:

(a) "United States", when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

(b) "Foreign government official" means an alien who is an accredited officer or an accredited employee of a foreign government recognized by the Government of the United States, or a member of the immediate family of such alien, and is in possession of a visa entitling him to apply for admission to the United States as a nonimmigrant under the provisions of section 3 (1) of the Immigration Act of 1924, as amended (43 Stat. 154, 54 Stat. 711; 8 U. S. C. 203), and the presentation of such visa at a port of entry of the United States shall be considered prima facie evidence of such status: *Provided*, That the term "member of the immediate family" as used in this section shall mean a close alien relative by blood or marriage of an accredited official of, or other accredited alien holding a position with, a foreign government recognized by the Government of the United States and who is regularly residing in the household of such alien.

(c) "Employee" means an alien who is the personal attendant, servant, or other personal employee of a foreign government official, or an attendant of a foreign government official as defined in paragraphs (d) and (e) of § 42.122 of Title 22, Code of Federal Regulations, and is in possession of a visa entitling him to apply for admission to the United States as a nonimmigrant under the provisions of section 3 (1) of the Immigration Act of 1924, as amended, and the presentation of such visa at a port of entry of the United States shall be considered prima facie evidence of such status.

§ 117.2 *Qualifications.* The conditions under which an alien may be admitted to the United States as a foreign government official or as an employee shall be that he:

(a) Presents whatever document or documents are required by the applicable Executive order or orders, or by Part 176 of this chapter, or any other applicable regulations prescribing the documents to be presented by aliens entering the United States. If in the case of an employee a valid passport is required, such passport must be valid for at least 60 days longer than the period of admission, as prescribed in § 176.500 of this chapter.

(b) Establishes, if he is an employee, that he will leave the United States within the period of his admission or any authorized extension thereof and that he has the abiilty to leave.

(c) Establishes that he is not excludable from the United States under the provisions of section 1 (1) or 1 (3) of the act of October 16, 1918, as amended (40 Stat. 1012, 41 Stat. 1008–9, 54 Stat. 673, 62 Stat. 268, Public Law 831, 81st Cong.; 8 U. S. C. 137), except that ambassadors, public ministers, and career diplomatic and consular officers who have been accredited by a foreign government recognized de jure by the United States and who are accepted by the President or the Secretary of State, and the members of the immediate families of such aliens, shall not be excludable under the provisions of section 1 (3) of the act of October 16, 1918, as amended, and except further that aliens of such classes described in the aforementioned exceptions shall be excludable under the provisions of section 1 (1) of the said act only pursuant to such rules and regulations as the President may deem necessary.

§ 117.3 *Authority to admit.* If an alien who applies for admission to the United States as a foreign government official, or as an employee as defined in § 117.1 (c), presents to the examining immigrant inspector at a port of entry to the United States a valid passport visa issued to the alien by a United States diplomatic or consular officer as a nonimmigrant under the provisions of section 3 (1) of the Immigration Act of 1924, as amended, the immigrant inspector shall accept the United States diplomatic or consular officer's classification of the alien and admit the alien, unless specifically directed to the contrary by his superior officer after consultation with the Department of State. In the case of such direction, the immigrant inspector shall, except as otherwise provided in Parts 174 and 175 of this chapter, hold the alien for hearing before a board of special inquiry.

§ 117.4 *Time for which admitted.* (a) A foreign government official shall be admitted for so long a period as he shall maintain his status as a foreign government official and the Secretary of State continues to recognize him as such.

(b) An employee shall be admitted for whatever period, not to exceed one year, is appropriate to accomplish the purpose of his temporary stay in the United States, except that (1) he shall not be admitted beyond the date 60 days prior to the end of the period during which he will be eligible for reentry to the country from which he came or for admission to some other foreign country, and (2) the period of his admission shall not exceed the time during which he maintains his status as an employee.

§ 117.5 *Exemptions.* A foreign government official or an employee admissible under this part shall be accorded the following exemptions from the provisions of the immigration laws:

(a) He shall be entitled to the benefit of the provisions of the tenth proviso to section 3 of the Immigration Act of February 5, 1917 (39 Stat. 875; 8 U. S. C. 136).

(b) He shall not be required to be registered or fingerprinted, or to furnish periodic address reports, under the provisions of Title III of the Alien Registration Act, 1940 (54 Stat. 673; 8 U. S. C. 451), such exemptions being provided in sections 32 (b) and 35 of that act and in the regulations in Part 170 of this chapter and in § 42.386 of Title 22, Code of Federal Regulations: *Provided*, That if he ceases to maintain the status of an alien not amenable to the registration and fingerprinting requirements, he shall, within 30 days of such cessation, apply for registration and to be fingerprinted.

(c) He shall not be required to furnish bond.

§ 117.6 *Extension of stay of employees: procedures.* (a) After an alien is admitted to the United States as an employee, he may upon proper showing be granted an extension or extensions of the period of his admission, but any such extension shall be subject to the same conditions and limitations as are placed on original admissions by this part.

(b) An employee who desires to obtain an extension of the period of his temporary admission shall make an application on Form I–539 approximately 30 days before the expiration of the period of his admission, or previously authorized extension thereof, to the district director of the district in which the alien is residing. The application shall be supported by a written statement from the employing foreign government official describing the current and intended employment. The district director shall make such verification and inquiries as are appropriate and necessary and shall forward the application with a report of the facts and a recommendation to the Commissioner of Immigration and Naturalization for a decision.

§ 117.7 *Violation of status.* (a) An alien admitted to the United States under the provisions of this part shall be deemed to have remained in the United States for a longer time than permitted by the conditions of his admission if:

(1) He is found in the United States after he ceases to have the status under which admitted; or

(2) Having been admitted as an employee, he remains in the United States after the expiration of the time for which he was temporarily admitted or after the expiration of any authorized extension or extensions of such period; or

(3) He violates or is found to have violated in any other way the conditions under which he was admitted or under which he was permitted to remain in the United States temporarily for an additional period.

(b) Any alien to whom paragraph (a) of this section is applicable shall be made the subject of deportation proceedings in accordance with the provisions of section 14 of the Immigration Act of 1924 (43 Stat. 162; 8 U. S. C. 214) and the provisions of Parts 150, 151, and 152 of this chapter: *Provided*, That, with respect to aliens who have been admitted as foreign government officials, the Secretary of State shall be notified at once of the contemplation of institution of such proceedings: *Provided further*, That with respect to aliens who have been admitted as foreign government officials, departure from the United States shall not be required without the prior approval of the Secretary of State, except that such approval shall not be required in the case of any alien who would be subject to exclusion from the United States under the provisions of section 1 of the act of October 16, 1918, as amended, if he were applying for admission.

PART 120—ALIEN SEAMEN

Section 120.19 is amended to read as follows:

§ 120.19 *Alien seamen previously deported or removed or apparently excludable under section 1 of the act of October 16, 1918, as amended; not permitted to land except under certain conditions.* It shall be the duty of the inspector to order detained on board, in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1924, as amended (43 Stat. 164, 58 Stat. 817; 8 U. S. C. 166, 167), (a) any alien seaman who has been heretofore or is hereafter arrested and deported in pursuance of law and is found employed on any vessel arriving in the United States, unless he has obtained from the Attorney General, in conformity with law, permission to reapply for admission and arrives at least one year after the date of deportation; (b) any alien seaman found subject to exclusion from admission to the United States under section 23 of the Immigration Act of 1917, as amended by the act of May 14, 1937 (39 Stat. 892, 50 Stat. 164; 8 U. S. C. 102), because he was removed from the United States subsequent to May 13, 1937, in the manner provided in the last-mentioned statutes, unless permission to

apply for readmission has been granted to such alien by the Secretary of State and the Attorney General; and (c) any alien seaman who at the time of application for admission appears to the examining immigrant officer to be excludable under section 1 of the act of October 16, 1918, as amended (40 Stat. 1012, 41 Stat. 1008–9, 54 Stat. 673, 62 Stat. 268, Public Law 831, 81st Congress; 8 U. S. C. 137). In emergent cases seamen covered by this section may be accorded hospital treatment as provided in the regulations relating to seamen.

(Sec. 1 (a), (b), (c), 45 Stat. 1551, 46 Stat. 41, sec. 7, 47 Stat. 166, Pub. Law 831, 81st Cong.; 8 U. S. C. 180, 181)

PART 123—FOREIGN GOVERNMENT REPRESENTATIVES TO INTERNATIONAL ORGANIZATIONS

Part 123 is amended to read as follows:

Sec.
123.1 Definitions.
123.2 Qualifications.
123.3 Authority to admit.
123.4 Time for which admitted.
123.5 Exemptions.
123.6 Extension of stay.
123.7 Violation of status.

AUTHORITY: §§ 123.1 to 123.6 issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458. Interpret or apply secs. 7 (a), (c), (d), 8 (a), 59 Stat. 672, Pub. Law 831, 81st Cong.; 8 U. S. C. 203, 215, 22 U. S. C. 288d, 288e.

§ 123.1 *Definitions.* As used in this part, the term:

(a) "United States", when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

(b) "Foreign government representative" means an alien who is a representative of a foreign government in or to an international organization designated by the President by Executive order as entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (59 Stat. 669; 22 U. S. C. 288), or a member of the immediate family of such representative and is in possession of a visa entitling him to apply for admission to the United States as a nonimmigrant under the provisions of section 3 (7) of the Immigration Act of 1924, as amended (43 Stat. 154, 59 Stat. 669; 8 U. S. C. 203), and the presentation of such visa at a port of entry of the United States shall be considered prima facie evidence of such status: *Provided*, That the term "member of the immediate family" as used in this paragraph shall mean a close alien relative by blood or marriage of such representative who is regularly residing in the household of such representative.

(c) "Officer" means an alien who is an officer or employee of an international organization designated by the President by Executive order as entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act or a member of the immediate family of such officer: *Provided*, That the term "member of the immediate family" as used in this paragraph shall mean a close alien relative by blood or marriage of such officer who is regularly residing in the household of such officer.

(d) "Attendant" means an alien who is the personal attendant, servant, or other personal employee of a foreign government representative, or of an officer, and who is in possession of a visa entitling him to apply for admission to the United States as a nonimmigrant under the provisions of section 3 (7) of the Immigration Act of 1924, as amended, and the presentation of such visa at a port of entry of the United States shall be considered prima facie evidence of such status.

§ 123.2 *Qualifications.* The conditions under which an alien may be admitted to the United States as a foreign government representative, or officer, or attendant, shall be that he:

(a) Presents whatever document or documents are required by the applicable Executive order or orders or by Part 176 of this chapter, or any other applicable regulations prescribing the documents to be presented by aliens entering the United States. If in the case of an attendant a valid passport is required, such passport must be valid for at least 60 days longer than the period of admission, as prescribed in § 176.500 of this chapter.

(b) Establishes, if he is an attendant, that he will leave the United States within the period of his admission or any authorized extension thereof, and that he has the ability to leave.

(c) Establishes that he is not excludable from the United States under the provisions of section 1 (1) of the act of October 16, 1918, as amended (40 Stat. 1012, 41 Stat. 1008–9, 54 Stat. 673, 62 Stat. 268, Public Law 831, 81st Congress; 8 U. S. C. 137).

(d) Establishes, unless he is a designated principal representative of a foreign government member of an international organization entitled to enjoy the privileges, exemptions, and immunities of an international organization under the International Organizations Immunities Act (59 Stat. 669; U. S. C. 288), or a member of the immediate family of such representative, that he is not excludable from the United States under the provisions of section 1 (3) of the act of October 16, 1918, as amended.

§ 123.3 *Authority to admit.* If an alien who is qualified under the provisions of § 123.2 presents to the examining immigrant inspector at a port of entry of the United States a valid passport visa issued to the alien as a nonimmigrant by a United States diplomatic or consular officer under the provisions of section 3 (7) of the Immigration Act of 1924, as amended, the immigrant inspector shall accept the United States diplomatic or consular officer's classification of the alien and admit the alien unless specifically directed to the contrary by his superior officer after consultation with the Department of State. In the case of such direction, the immigrant inspector shall, except as otherwise provided in Parts 174 and 175 of this chapter, hold the alien for hearing before a board of special inquiry.

§ 123.4 *Time for which admitted.* (a) A foreign government representative or an officer shall be admitted for so long a period as he shall maintain his status as a foreign government representative or an officer.

(b) An attendant shall be admitted for whatever period, not to exceed one year, is appropriate to accomplish the purpose of his temporary stay in the United States, except that (1) he shall not be admitted beyond the date sixty days prior to the end of the period during which he will be eligible for reentry to the country from which he came or for admission to some other foreign country, and (2) the period of his admission shall not exceed the time during which he maintains his status as an attendant.

§ 123.5 *Exemptions.* A foreign government representative or an officer or an attendant admissible under this part shall be accorded the following exemptions from the provisions of the immigration laws:

(a) The alien shall not be required to be registered and fingerprinted under the provisions of Title III of the Alien Registration Act, 1940 (54 Stat. 673; 8 U. S. C. 451): *Provided*, That this exemption shall not apply to an attendant of a foreign government representative or an officer unless such attendant is regularly residing as a domestic employee in the household of the employer: *Provided further*, That this exemption shall not extend to the alien unless his status is approved by the Secretary of State in accordance with the provisions of section 8 (a) of the International Organizations Immunities Act (59 Stat. 672; 22 U. S. C. 288e): *Provided further*, That if the alien ceases to maintain the status of an alien not subject to the registration and fingerprinting requirements, he shall within 30 days of such cessation apply for registration and to be fingerprinted.

(b) The alien shall not be required to furnish bond.

(c) The alien shall be entitled to the benefit of the provisions of the tenth proviso in section 3 of the Immigration Act of February 5, 1917 (39 Stat. 675; 8 U. S. C. 136 (f)).

§ 123.6 *Extension of stay.* (a) After an alien is admitted to the United States as an attendant he may, upon proper showing, be granted an extension or extensions of the period of his admission, but any such extension shall be subject to the same conditions and limitations as are placed on original admission by this part.

(b) An attendant who desires to obtain an extension of the period of his temporary admission shall make an application on Form I–539 approximately thirty days before the expiration of the period of his admission or previously authorized extension thereof to the district director of the district in which the alien is residing. The application shall be supported by a written statement from the employing foreign government representative or officer describing the current and intended employment. The district director shall make such verifications and inquiries as are appropriate and necessary and shall forward the ap-

plication with a report of the facts and a recommendation to the Commissioner of Immigration and Naturalization for a decision.

§ 123.7 *Violation of status.* (a) An alien admitted to the United States as a foreign government representative or an officer or attendant shall be deemed to have remained in the United States for a time longer than that permitted by the conditions of his admission or to have failed to maintain the status under which he was admitted if:

(1) He is found in the United States after he ceases to have the status under which he was admitted; or

(2) He is an attendant and remains in the United States after the expiration of the time for which he was temporarily admitted or after the expiration of any extension or extensions of such period; or

(3) He violates or is found to have violated in any other way the conditions under which he was admitted or under which he was permitted to remain in the the United States temporarily for an additional period.

(b) Any alien to whom paragraph (a) of this section is applicable shall be made the subject of deportation proceedings in accordance with the provisions of section 14 of the Immigration Act of 1924 (43 Stat. 162; 8 U. S. C. 214) and the provisions of Parts 150, 151, and 152 of this chapter: *Provided*, That with respect to aliens who are foreign government representatives or officers the Secretary of State shall be notified at once of the contemplation of institution of such proceedings: *Provided further*, That with respect to aliens who are foreign government representatives or officers, departure from the United States shall not be required without the prior approval of the Secretary of State, except that such approval shall not be required in the case of any alien who would be subject to exclusion from the United States under the provisions of section 1 of the act of October 16, 1918, as amended, if he were applying for admission.

PART 132—READMISSION OF ALIENS WITH SEVEN YEARS' DOMICILE

Part 132 is amended to read as follows:

Sec.
132.1 Definitions.
132.2 Aliens returning to unrelinquished domicile.

AUTHORITY: §§ 132.1 and 132.2 issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458. Interpret or apply sec. 3, 39 Stat. 875, Pub. Law 831, 81st Cong.; 8 U. S. C. 136 (p).

§ 132.1 *Definitions.* For the purpose of this part, the term "United States", when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone. "Domicile" means that place where an alien has his true, fixed, and permanent home, and principal establishment, to which, whenever he is absent, he has the intention of returning.

§ 132.2 *Aliens returning to unrelinquished domicile.* Aliens returning after a temporary absence to an unrelinquished United States domicile of seven consecutive years may, unless they fall within the purview of section 1 of the act of October 16, 1918, as amended (40 Stat. 1012, 41 Stat. 1008–9, 54 Stat. 673, 62 Stat. 268, Public Law 831, 81st Cong.; 8 U. S. C. 137), be admitted in the discretion of the Attorney General and under such conditions as he may prescribe. In such case satisfactory proof of domicile in the United States for seven consecutive years and of departure therefrom with the intention of returning thereto will be exacted. Every case of exclusion for any cause in which the alien has given such proof shall be promptly brought by the official in charge to the attention of the Commissioner, through the usual official channels, with a complete report of the reasons for the alien's exclusion and of the proof which has been offered of continuous and unrelinquished domicile, together with a statement of the duration of the absence.

PART 133 — TEMPORARY ADMISSION OF ALIENS OF THE EXCLUDABLE CLASSES

The following new part is added:

Sec.
133.1 Definitions.
133.2 Temporary admission from contiguous territory; mandatorily excludable classes.
133.3 Temporary admission or transit denied, without advance consent, to certain aliens.
133.4 Excludable aliens applying at seaports for temporary admission without advance consent; procedure.

AUTHORITY: §§ 133.1 to 133.4 issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458. Interpret or apply sec. 3, 39 Stat. 875, Pub. Law 831, 81st Cong; 8 U. S. C. 136 (q).

§ 133.1 *Definitions.* For the purposes of this part, the term "United States", when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

§ 133.2 *Temporary admission from contiguous territory; mandatorily excludable classes.* (a) All applications for temporary admission from foreign contiguous territory made by aliens of the mandatorily excludable classes shall be submitted to the Commissioner for special ruling except those which have been granted by the officer in charge under paragraph (b) of this section.

(b) Aliens mandatorily excluded, other than those falling within the purview of section 1 of the act of October 16, 1918, as amended (40 Stat. 1012, 41 Stat. 1008–9, 54 Stat. 673, 62 Stat. 268, Public Law 831, 81st Cong.; 8 U. S. C. 137), and seeking temporary admission from foreign contiguous territory for the purpose of undergoing medical or surgical treatment in the United States, may be admitted for such purpose if it appears to the satisfaction of the officer in charge of the port that an emergency exists for immediate medical or surgical aid, and if such alien shall furnish satisfactory guaranty or a bond on Form I–331 with approved surety in the penal sum of not less than $500 conditioned that he will depart from the United States when such medical or surgical treatment is completed. Aliens of the class referred to, seeking temporary admission for the purpose of entering a private or public hospital, sanitarium, or medical institution for treatment, may be admitted for such purpose when it satisfactorily appears to the officer in charge that the designated private or public hospital or sanitarium or medical institution which the alien has arranged to enter for treatment has on file with the Commissioner a bond on Form I–332, covering such case and properly conditioned that aliens treated in such designated hospital, sanitarium, or institution will depart from the United States when such treatment is completed. In either case above referred to the alien may be required in the discretion of the officer in charge to submit in duplicate an unmounted photograph of himself 2 by 2 inches in size, the distance from the top of the head to point of chin to be approximately 1¼ inches.

§ 133.3 *Temporary admission or transit denied, without advance consent, to certain aliens.* Temporary admission to the United States, or for the purpose of proceeding in transit through the United States, or to proceed from a port thereof directly or by way of any other United States port or ports to a foreign port, shall not be granted in the case of any alien brought to a seaport of the United States (or in the case of a transit alien who is brought to a designated Canadian seaport) who at the time of arrival is within any of the classes of aliens hereafter described in this section, unless prior to departure from abroad consent shall have been obtained from the Attorney General for the alien's temporary admission to the United States, and if upon arrival he is found not to be within any of such classes other than as stated in the application for such consent: Any alien afflicted with idiocy, insanity, imbecility, feeblemindedness, epilepsy, constitutional psychopathic inferiority, chronic alcoholism, tuberculosis in any form, or a loathsome or dangerous contagious disease, if it appears to the satisfaction of the Attorney General that the alien was so afflicted at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, or any alien who is found to be excludable under the provisions of section 3 of the Immigration Act of 1917 (39 Stat. 875; 8 U. S. C. 136), because found to be unable to read, or as a native of that portion of the continent of Asia and the islands adjacent thereto described in the said section, if it appears to the satisfaction of the Attorney General that these disabilities might have been detected by the exercise of reasonable precaution prior to the departure of such alien from abroad.

§ 133.4 *Excludable aliens applying at seaports for temporary admission without advance consent; procedure.* The cases of all aliens of the excludable classes brought to seaports of the United States who apply for temporary admission, except cases within § 133.3, shall

be submitted to the Commissioner for special ruling.

PART 150—DEPORTATION PROCEEDINGS: INVESTIGATION AND ARREST

1. Paragraph (f) of § 150.1, *Investigations*, is amended to read as follows:

(f) *Subpena of aliens under investigation.* An alien under investigation may be required to answer all reasonable questions concerning his right to be or reside in the United States. In the event of the refusal or failure of an alien under investigation to answer any reasonable question concerning his right to be or reside in the United States or to give a valid reason for his refusal or failure to so answer, the powers of subpena authorized by Part 163 of this chapter may be invoked as to the alien. Nothing in this paragraph shall preclude the investigating officer from securing or attempting to secure evidence from any other source.

2. Paragraph (a) of § 150.4, *Issuance of warrants of arrest*, is amended to read as follows:

(a) The officer in charge of a district is authorized to issue a warrant of arrest under any provisions of the immigration laws which may now or hereafter exist, in any case in which he believes a prima facie case for deportation has been established, except in a case in which one or more of the charges to be brought are under the provisions of the act of October 16, 1918, as amended. In any case in which the officer in charge of a district is in doubt as to whether a prima facie case for deportation has been established or in which the charges to be brought are under the provisions of the act of October 16, 1918, as amended, the officer in charge of the district shall make a full report to the Commissioner. If it is determined, in either case, by the Commissioner or the Assistant Commissioner, Enforcement Division, that a prima facie case for deportation has been established, he shall either issue a warrant of arrest or authorize the officer in charge of the district to do so. The Commissioner or the Assistant Commissioner, Enforcement Division, is authorized to issue warrants of arrest in any of the cases described in this paragraph.

3. Section 150.6 is amended to read as follows:

§ 150.6 *Custody of arrested aliens—*(a) *Released on bond or conditional parole.* An alien arrested in deportation proceedings may, pending final determination of his deportability and in the discretion of the officer in charge of the office having custody of the alien, be released under bond or on conditional parole, unless specific instructions to the contrary shall have been issued. If a bond is required and accepted, it shall be executed on Form I-353 and shall be in an amount not less than $500. When release is directed by such officer in charge under conditions other than those stated in the warrant of arrest, such officer in charge shall make immediate report thereof in writing to the officer in charge of the district, giving the reasons for the action taken.

(b) *Continuation in custody.* If the officer in charge of an office having custody of an alien whose continued detention has not been authorized, has reason to believe that release should not be authorized under any condition, such alien may be continued in custody but a report, giving the reasons for the action taken, shall be promptly made to the officer in charge of the district, who, if he concurs in such continued detention, shall make an appropriate report to the Commissioner.

(c) *Detention facilities.* An alien under deportation proceedings not released under bond or on conditional parole may be confined only in a detention facility operated by the Service or in a jail approved by the Service as a detention facility, or, upon approval from the officer in charge of the district, in some other suitable quarters. Children under 16 years of age and women shall not be held in custody in jails unless absolutely unavoidable. Whenever detention of such aliens in a jail is unavoidable, a report thereof with the reasons therefor shall be immediately submitted to the officer in charge of the district, who shall keep the Commissioner informed of such cases.

(d) *Conditions of release under bond or on parole.* It shall be among the conditions of any bond or terms of parole pursuant to paragraph (a) of this section that the alien be produced, or will produce himself, (1) when required to do so for the purpose of defending himself against the charge or charges under which he was taken into custody and any other charges which subsequently may be lodged against him, (2) for deportation if an order of deportation has been made, and (3) such other appropriate conditions as may be prescribed.

(e) *Release or detention after entry of order of deportation.* At any time during the period of six months immediately following the date of a final order of deportation and in the discretion of the officer in charge of the office having custody of an alien, the alien may be released under bond or on conditional parole unless specific instructions to the contrary shall have been issued. If a bond is required and acepted, it shall be executed on Form I–353 and shall be in an amount not less than $500. It shall be among the terms of any release on parole that the alien be produced, or will produce himself, when required to do so for deportation or for the purpose of furnishing additional information necessary to the final disposition of his case. If the officer in charge of the office having custody of such alien has reason to believe that release should not be authorized under any condition, such alien may be continued in detention during said six-month period but a report, giving the reasons for the action taken, shall be promptly made to the officer in charge of the district, who, if he concurs in that action, shall make an appropriate report to the Commissioner.

(f) *Parole supervision beyond six-month period after order of deportation made.* (1) Pending eventual deportation, the officer in charge of any office having custody of an alien against whom an order of deportation has been outstanding for more than six months shall place such alien under parole supervision, requiring among other things that the alien (i) will appear from time to time at specified times or intervals before an officer of the Service for identification; (ii) will submit, if necessary, to medical and psychiatric examination at government expense; (iii) will give information under oath as to his nationality, circumstances, habits, associations, and activities, and such other information whether or not related to the foregoing as may be deemed fit and proper; and (iv) will conform to such reasonable written restrictions on his conduct or activities as may be prescribed.

(2) An alien placed under parole supervision pursuant to this paragraph shall be advised that he will be liable to criminal prosecution for a felony, and may, upon conviction thereof, be fined not more than $1,000 or be imprisoned not more than one year, or both, if he (i) willfully fails to comply with the requirements of such parole supervision; or (ii) willfully fails to appear to give information; or (iii) willfully fails to submit to medical or psychiatric examination if required; or (iv) knowingly gives false information in relation to the requirements of such parole supervision; or (v) knowingly violates any reasonable restriction imposed upon his conduct or activity.

(g) *Institution cases.* In the absence of special instructions, an alien confined in an institution shall not be accepted into custody by the Service until a warrant of deportation has been issued and the Service is completely ready to deport the alien.

(h) *Cost of maintenance pending deportation.* The cost of maintaining aliens in custody after arrest and pending deportation may be borne by the Government, except that when an alien is an inmate of a public or private institution at the time of the institution of deportation proceedings, no expense shall be incurred by the Government until he is taken into physical custody by immigration officers.

4. The following new section is added:

§ 150.8 *Definitions.* As used in this part, the term "Service" means the Immigration and Naturalization Service of the United States Department of Justice.

PART 151—DEPORTATION PROCEEDINGS: HEARING AND ADJUDICATION

The last sentence of paragraph (c) of § 151.2, *Conduct of hearing*, is amended by changing the period at the end thereof to a comma and adding the following: "and shall further advise the alien of his right to specify the country to which his deportation is to be directed in the event such deportation is required by law and shall request the alien to specify such country for the record."

The last sentence of paragraph (a) of § 151.5, *Decision*, is amended to read as follows: "The hearing officer shall have no authority to exercise the Attorney General's powers under section 19 (c) (2) of the Immigration Act of February 5, 1917, as amended, or under the seventh provisio to section 3 of that

act, or to designate at whose expense or to which country the alien shall be deported."

PART 152—DEPORTATION PROCEEDINGS: ACTION SUBSEQUENT TO ADJUDICATION

1. Paragraphs (a) and (e) of § 152.2, *Issuance and execution of warrant of deportation*, are amended to read as follows:

(a) *Issuance.* The officer in charge of the appropriate district, the Assistant Commissioner, Enforcement Division, or the Commissioner, shall have the authority to issue a warrant of deportation in any case in which an order of deportation has become final.

* * * * *

(e) *Departure at expense of alien or government.* When an alien has been ordered deported, the district director of the district within which the alien is located or is in custody may, in the absence of express directions to the contrary, permit the alien to depart to any country of his choice by reshipping foreign one way as a seaman, or by any other method, at the alien's expense. If such alien is able to depart from the United States, except that he is financially unable to pay his passage, the expense of such passage to any country of his choice may, in the discretion of the district director, be paid from the appropriation for the enforcement of the immigration laws, unless such payment is otherwise provided for in section 20 (a) of the Immigration Act of 1917, as amended, relating to the payment of expenses in deportation cases instituted within five years after entry. When such departure is permitted and effected, the facts shall be recorded on the warrant of deportation. Any alien who is permitted to depart from the United States at his own or government expense under a warrant of deportation shall be notified of the issuance of such warrant and again warned concerning the provisions of the act of March 4, 1929, as amended.

2. Paragraph (a) of § 152.3, *Deportation*, is amended by adding the following as the first sentence thereof: "Subject to applicable law and regulation the officer in charge of the appropriate field district, the Assistant Commissioner, Enforcement Division, or the Commissioner, shall have exclusive authority to designate at whose expense and to which country a deportable alien shall be deported."

3. Sections 152.5 and 152.6 are added as follows:

§ 152.5 *Unlawful return to United States of aliens deported or released for departure.* If any alien subject to the provisions of section 20 (c) of the Immigration Act of February 5, 1917, as amended (39 Stat. 890, 57 Stat. 553, Public Law 831, 81st Cong.; 8 U. S. C. 156), unlawfully returns to the United States after having been released for departure under an order of deportation on or after September 27, 1950, or after having been deported pursuant to section 20 of that act on or after that date, the previous warrant of deportation against him shall be considered as reinstated from its original date of issuance.

§ 152.6 *Deportation of aliens unlawfully returning to United States*—(a) *Hearing; when to be accorded.* Any alien falling within the purview of § 152.5 shall be taken into custody under the authority of the warrant of deportation under which he was last deported. After the alien has been taken into custody and has been given a reasonable period of time to arrange for presentation of his case, including if desired, representation by counsel, the case of the alien shall be referred to an appropriate hearing officer for hearing to determine whether the alien shall be deported under the said warrant. The alien shall be timely informed of the purpose, time, and place of hearing.

(b) *Scope of hearing.* The hearing referred to in this section shall be limited solely to a consideration and determination of the issues: (1) Identity, that is, whether the alien is in fact the person who was previously deported or released for departure under a warrant of deportation; (2) whether the previous warrant of deportation was based upon those provisions of the immigration laws described in section 20 (c) of the Immigration Act of February 5, 1917, as amended (39 Stat. 890, 57 Stat. 553, Public Law 831, 81st Cong.; 8 U. S. C. 156); (3) whether the alien unlawfully returned to the United States; and (4) other factors which in the judgment of the hearing officer are pertinent to a decision in the case.

(c) *Conduct of hearing.* In the conduct of hearings under this section, the duties of the hearing officer and the rights of the alien shall be the same as those set forth in § 151.2 of this chapter, but their performance and exercise shall be limited as contemplated in paragraph (b) of this section.

(d) *Decision; preparation by hearing officer of written decision.* Except as provided in paragraph (e) of this section, the hearing officer shall, as soon as practicable after the conclusion of the hearing, prepare in writing a decision which shall be signed by him and which shall set forth a summary of the evidence adduced and his findings of fact and conclusions of law as to the issues described in paragraph (b) of this section. The decision shall be concluded with a determination which shall be either that the alien shall be deported as provided by section 20 (d) of the Immigration Act of 1917, as amended, or that the case shall be referred to the Commissioner for review. The hearing officer shall cause a signed copy of his decision to be served either in person or by registered mail on the alien or his counsel or representative. If the decision of the hearing officer is that the alien shall be deported, the alien or his counsel or representative shall be allowed five business days (which period may be extended by the hearing officer upon a showing of good cause that more time is necessary) in which to submit to the officer in charge of the district or suboffice, for consideration by the Commissioner, exceptions to the hearing officer's decision, which may be accompanied by a supporting argument or brief. The alien or his counsel or representative may enter a written waiver of the right herein specified to file exceptions to the decision of the hearing officer. If the decision of the hearing officer is that the case shall be referred to the Commissioner, the officer in charge of the district or suboffice shall inform the alien of the forwarding of the record to the Commissioner and of his right to make such representations to the Commissioner as he may desire, including oral argument as provided in § 151.8 of this chapter and the filing of exceptions or briefs in support thereof as provided in this paragraph.

(e) *Oral decision and exceptions thereto.* In any case in which he deems it appropriate the hearing officer may, at the conclusion of the hearing, state for the record in the presence of the alien or his counsel or representative his summary of the evidence, findings of fact, conclusions of law, and decision as provided in paragraph (d) of this section. When the hearing officer enters such oral decision, he shall then require the alien or his counsel or representative to state for the record whether the alien desires to take exceptions to any part thereof. If it is desired to file exceptions, the alien or his counsel or representative shall be offered the same opportunities accorded him by paragraph (d) of this section, except that the time provided for shall commence to run from the date on which the hearing officer orally states his decision.

(f) *Finality of decision.* The decision of the hearing officer described in paragraphs (d) and (e) of this section shall be final in any case in which the hearing officer determines that the alien shall be deported, unless the alien or his counsel or representative files exceptions to the hearing officer's decision in conformity with paragraphs (d) or (e) of this section. Every such case in which exceptions are filed shall be referred promptly to the Commissioner, and the hearing officer's decision shall be final only upon approval by the Commissioner, subject, however, to appeal to the Board of Immigration Appeals as provided in § 90.3 of this chapter. In considering any case referred to the Commissioner under any of the provisions of this section, the Commissioner may enter any order which he deems appropriate for the disposition of the case. Notwithstanding the provisions of this section, the Commissioner may at any time require certain additional classes of cases or individual cases to be submitted to him for review, and such action by the Commissioner shall defer the operation of any disposition previously made. Upon such review, the Commissioner may make any determination which he deems appropriate.

(g) *Reopening of hearing by hearing officer.* At any time prior to the making of his decision, or if the record is to be forwarded to the Commissioner for review, prior to such forwarding, the hearing officer may at his own instance direct that the case be reopened for further consideration, or he may direct a reopening upon the request of the alien or his counsel or representative. Such request shall be in writing, shall state

the new facts to be proved relating to the issues falling within the scope of the hearing as specified in paragraph (b) of this section, and shall be supported by affidavits or other evidentiary material. A request for reopening shall be filed with the officer in charge of the district or suboffice, who shall refer it to the hearing officer. The denial of an alien's motion to reopen any case in which the decision of the hearing officer has become final as provided for in paragraph (f) of this section shall be in writing, and a copy thereof shall be served on the alien or his counsel or representative. Upon the denial of such a motion, the entire record, including the motion papers and the order denying the motion, shall be forwarded promptly to the Commissioner for review and the Commissioner may enter any order in the case which he deems appropriate.

(h) *Submission of record to the Commissioner.* In any case in which the decision of the hearing officer requires review by, or approval of, the Commissioner as provided in this section, the entire record of hearing, upon completion, shall be forwarded promptly to the Commissioner by the officer in charge of the district or suboffice (1) upon receipt of exceptions as provided in paragraphs (d) or (e) of this section, (2) upon the expiration of the time allowed therefor, or (3) upon receipt of a waiver from the alien or his counsel or representative of the right to file exceptions to the decision of the hearing officer. The decision of the Commissioner shall be in writing and shall, unless the alien or his counsel or representative appeals to the Board of Immigration Appeals within the time specified in § 90.9 (b) of this chapter, be final. The Commissioner may for proper cause direct a reopening of any case which is before him for consideration. A copy of the Commissioner's decision shall be served in the manner specified in § 90.9 (a) of this chapter.

(i) *Execution of warrant of deportation.* Upon final determination, as provided in this section, that the alien shall be deported, the original warrant of deportation shall be executed in the manner prescribed in § 152.2.

PART 170—REGISTRATION AND FINGERPRINTING OF ALIENS IN ACCORDANCE WITH THE ALIEN REGISTRATION ACT, 1940

1. Section 170.6 is amended to read as follows:

§ 170.6 *Notification of address of resident aliens.* Any alien who on January 1, 1951, or on January 1 of any succeeding year is in the United States in other than a lawful nonimmigrant status and who is required to be registered under the Alien Registration Act, 1940 (54 Stat. 673; 8 U. S. C. 451), shall within ten days following such dates, notify the Commissioner, Immigration and Naturalization Service, Washington 25, D. C., in writing of his current address. In the case of an alien for whom a parent or guardian is required to apply for registration, such notification shall be made by the appropriate parent or guardian.

2. Section 170.7, *Aliens not permanently residing in the United States,* is revoked.

PART 174—CONTROL PURSUANT TO THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950 OF PERSONS ENTERING THE UNITED STATES

The following new part is added:

Sec.
174.1 Definitions.
174.2 Entry not permitted in special cases.
174.3 Report of temporary exclusion.
174.4 Hearing by board of special inquiry; action by the Commissioner.

AUTHORITY: §§ 174.1 to 174.4 issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458. Interpret or apply act of October 16, 1918, as amended, 40 Stat. 1012, 41 Stat. 1008-9, 54 Stat. 673, Pub. Law 831, 81st Cong.; 8 U. S. C. 137.

§ 174.1 *Definitions.* For the purposes of this part:

(a) "United States" includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

(b) "Continental United States" means the territory of the several States, the District of Columbia, and Alaska.

(c) "Alien" means an individual who is not a citizen of the United States by birth or naturalization, but this definition shall not be held to include nationals of the United States or citizens of the islands (exclusive of Trust Territory) under the jurisdiction of the United States. (A citizen of a "Trust Territory", which includes the Marshall, Caroline, and Marianas Islands as contemplated by the trusteeship agreement with the United Nations, is treated as an alien for the purposes of the immigration laws.)

(d) "Seaman" means any alien whose occupation or calling as such is bona fide, and who is employed in any capacity on board any vessel arriving in the United States from any place outside of the United States.

(e) "Permit to enter" means an immigration visa, a reentry permit, a passport visa, a transit certificate, a limited-entry certificate, a border-crossing identification card, or a crew-list visa issued by a permit-issuing authority.

(f) "Examining immigration officer" means any immigrant inspector or other individual or body empowered by law or regulation to determine the admissibility of aliens into the United States under the immigration laws thereof.

(g) "Port of arrival" means a port in the continental United States, the Virgin Islands, Puerto Rico, or Hawaii designated as a port of entry by the Attorney General or the Commissioner of Immigration and Naturalization, or such a port in the Canal Zone, Guam, American Samoa, or any outlying possession of the United States, as may be designated by the Governor thereof.

(h) "Commissioner" means the Commissioner of Immigration and Naturalization.

§ 174.2 *Entry not permitted in special cases.* Any alien, including an alien seaman, even though in possession of a permit to enter, or exempted by law or regulation from obtaining or presenting a permit to enter, shall be excluded temporarily, and in the case of a seaman seeking to enter as a nonimmigrant pursuant to section 3 (5) of the Immigration Act of 1924 (43 Stat. 154; 8 U. S. C. 203), shall be ordered detained on board, if, at the time of application for admission at a port of arrival, the alien may appear to the examining immigration officer at such port to be excludable under section 1 of the act of October 16, 1918, as amended (40 Stat. 1012, 41 Stat. 1008-9, 54 Stat. 673, Public Law 831, 81st Cong.; 8 U. S. C. 137).

§ 174.3 *Report of temporary exclusion.* The examining immigration officer temporarily excluding the alien shall promptly report such action to the officer in charge of the district having jurisdiction over the port of arrival, who shall communicate such report to the Commissioner.

§ 174.4 *Hearing by board of special inquiry: action by the Commissioner.* (a) In the case of any alien temporarily excluded under the provisions of this part, no hearing by a board of special inquiry shall be held until after the case is reported to the Commissioner and such a hearing is directed by the Commissioner: *Provided,* That nothing in this part shall be deemed to authorize a hearing before a board of special inquiry in the case of any alien seeking to enter as a nonimmigrant pursuant to section 3 (5) of the Immigration Act of 1924, as amended.

(b) If the Commissioner determines that the alien is inadmissible to the United States under section 1 of the act of October 16, 1918, as amended, and that such inadmissibility is based on information of a confidential nature the disclosure of which would be prejudicial to the public interest, safety, or security, he may deny any hearing or further hearing by a board of special inquiry and order such alien to be excluded and deported.

(c) In any case in which the Commissioner directs that an alien temporarily excluded be given a hearing before a board of special inquiry, such hearing shall be conducted in accordance with the provisions of section 17 of the Immigration Act of February 5, 1917 (39 Stat. 887; 8 U. S. C. 153), and Parts 130 and 136 of this chapter, except that if evidence, not previously considered in the case, is adduced to support the exclusion of the alien under section 1 of the act of October 16, 1918, as amended, the board of special inquiry may temporarily exclude the alien under the authority of § 174.2. In the case of any such temporary exclusion by a board of special inquiry, such further action shall be taken as provided in § 174.3 and paragraphs (a) and (b) of this section.

Subchapter D—Nationality Regulations

PART 301—DEFINITIONS OF WORDS AND PHRASES USED IN THE NATIONALITY ACT OF 1940

Section 301.17, *Designated examiner,* is amended by changing the term "preliminary naturalization hearings" to

"preliminary naturalization examinations."

(Pub. Law 831, 81st Cong.)

PART 322—GENERAL CLASS OF PERSONS WHO MAY BE NATURALIZED

1. Paragraph (b) of § 322.1, *General requirements*, is revoked and paragraphs (g) and (i) are amended so that when taken with the introductory sentence those paragraphs will read as follows:

§ 322.1 *General requirements.* A person not a citizen of the United States in order to be eligible for naturalization upon a petition for naturalization to a naturalization court shall, unless specifically exempted as set forth in this subchapter:

* * * * *

(g) Be able to speak, read, and write the English language, unless physically unable to do so or unless the person was over 50 years of age and had been legally residing in the United States for twenty years on September 23, 1950;

* * * * *

(i) Be not disqualified for naturalization under section 305, 306, or 329 (c) of the Nationality Act of 1940, as amended, or otherwise.

(Sec. 101 (c), 301 (d), 303-307 (a), 54 Stat. 1137, 1140-1142, 57 Stat. 601, 60 Stat. 416, Pub. Law 831, 81st Cong.; 8 U. S. C. 501 (c), 701 (d), 703-707 (a))

2. Paragraph (e) of § 322.2, *Procedural requirements*, is amended by changing the term "preliminary hearing" to "preliminary examination" wherever it appears therein.

(Pub. Law 831, 81st Cong.)

PART 334—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: VETERANS OF THE UNITED STATES ARMED FORCES

Section 334.5 is amended to read as follows:

§ 334.5 *Procedure.* An application to file a petition for naturalization under §§ 334.2, 334.3, and 334.4 shall be made on Form N-400 and submitted to the appropriate immigration and naturalization office in accordance with § 60.30 (a) of this chapter. The petition for naturalization shall be filed on Form N-405. The petition for naturalization shall be amended by inserting after allegation 12 a description of the petitioner's service in the United States armed forces as follows:

I entered _____ on
(Branch of service)
_____, 19___, under Serial No. _____,
(Date)
and was honorably discharged on _____,
(Date)
19___.

PART 337—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: SEAMEN

Part 337 is amended to read as follows:

Sec.
337.1 Service on United States Government or merchant vessels; residence; fees.
337.2 Procedure.
337.3 Proof of service.
337.4 Petitions pending on September 23, 1950.

AUTHORITY: §§ 337.1 to 337.4 issued under secs. 37, 327, 54 Stat. 675, 1150; 8 U. S. C. 458, 727. Interpret or apply sec. 325, 54 Stat. 1150, Pub. Law 831, 81st Cong.; 8 U. S. C. 725.

§ 337.1 *Service on United States Government or merchant vessels; residence; fees.* The periods of service after lawful admission for permanent residence shall be deemed residence within the United States within the meaning of § 354.1 of this chapter if an alien served honorably or with good conduct in any capacity other than as a member of the armed forces of the United States, within five years immediately preceding the date such alien shall file a petition for naturalization, (a) on board a vessel operated by the United States, or any agency thereof, the full legal and equitable title to which is in the United States; or (b) on board a vessel whose home port is in the United States, and (1) which is registered under the laws of the United States, or (2) the full legal and equitable title to which is in a citizen of the United States or a corporation organized under the laws of any of the several States of the United States. Notwithstanding the provisions of § 301.4 of this chapter, for the purposes of this section the term "United States", when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone. A petitioner for naturalization under this section shall pay the usual fee for filing a petition for naturalization.

§ 337.2 *Procedure.* An application to file a petition for naturalization under § 337.1 shall be made on Form N-400 and shall be submitted to the appropriate immigration and naturalization office in accordance with § 60.30 (a) of this chapter. The petition shall be filed on Form N-405. There shall be attached to, filed with, and made a part of the original and duplicate of every petition for naturalization filed under § 337.1 an affidavit of the petitioner, sworn to before the clerk of court or a member of the Service on Form N-421, fully setting forth the periods of service and description of the vessel or vessels.

§ 337.3 *Proof of service.* At the time the petition for naturalization is filed, the applicant shall present duly authenticated copies of the records of the executive departments or agencies having custody of the records covering the petitioner's service if it was on a vessel of the United States Government, which copies must show the period or periods of such service and that it was performed honorably or with good conduct, or certificates from the masters of the vessels showing service with good conduct if service was on a vessel other than a vessel of the United States Government. Such duly authenticated copies of service records and certificates shall be accepted as proof of the residence in the United States of the petitioner for the periods of such service if performed subsequent to the petitioner's lawful admission to the United States for permanent residence and within the five years next preceding the filing of his petition for naturalization.

§ 337.4 *Petitions pending on September 23, 1950.* The provisions of this part in effect on September 23, 1950, shall continue to be applicable to petitions for naturalization filed under section 325 of the Nationality Act of 1940 which were pending on that date.

PART 352—ATTACHMENT TO THE PRINCIPLES OF THE CONSTITUTION AND FAVORABLE DISPOSITION TOWARD THE GOOD ORDER AND HAPPINESS OF THE UNITED STATES; SUBVERSIVE ORGANIZATIONS, ACTIVITIES, AND BELIEFS

1. The title of Part 352 is amended to read as set forth above.

2. Section 352.3 is amended to read as follows:

§ 352.3 *Subversive organizations, activities, and beliefs.* No person (except a person subject to the provisions of sections 313, 314, 317 (b) or 323 of the Nationality Act of 1940) may be naturalized who at any time within the period of ten years immediately preceding the filing of his petition for naturalization is or has been found to be within any of the classes of persons described in section 305 (a) of the said act, as amended (54 Stat. 1141, Public Law 831, 81st Cong., 8 U. S. C. 705). Any alien who has been at any time within ten years next preceding the filing of his petition for naturalization, or is at the time of filing such petition, or has been at any time between such filing and the time of taking of the final oath of citizenship, a member of or affiliated with any organization described in section 305 (e) of the Nationality Act of 1940, as amended, is presumed to be a person not attached to the principles of the Constitution of the United States and not well disposed to the good order and happiness of the United States, and shall not be naturalized unless he shall rebut such presumption. This presumption shall not apply to any such person who within three months from the date upon which such organization was registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950 (Public Law 831, 81st Cong.), renounces, withdraws from and utterly abandons such membership or affiliation and who thereafter ceases entirely to be affiliated with such organization. The burden of proof shall be upon the petitioner to establish that he is not precluded from naturalization under subsections (a) and (e) of section 305 of the Nationality Act of 1940, as amended.

PART 356—EDUCATIONAL REQUIREMENTS AND EDUCATION FOR CITIZENSHIP

Sections 356.2 and 356.3 are amended to read as follows:

§ 356.2 *Petitioner's ability to read, write, and speak English.* Every petitioner applying for naturalization upon his own petition (except a petitioner who is physically unable to do so, or who on September 23, 1950, was over 50 years of age and was legally residing in the United States for 20 years, or a petitioner under section 317 (b) or section 323 of the Nationality Act of 1940) shall, before being naturalized, demonstrate

an understanding of the English language including an ability to read, write, and speak words in ordinary usage in the English language. The test of the applicant shall be conducted by the use of simple words and phrases, shall be a reasonable one, and shall be so conducted as to avoid imposing extraordinary or unreasonable conditions upon the applicant.

§ 356.3 *Educational examination of petitioners for naturalization.* Every petitioner applying for naturalization shall, before being naturalized, demonstrate a knowledge and understanding of the fundamentals of the history, and the principles and form of government, of the United States. To this end the petitioner shall be questioned as to (a) the principal historical facts concerning the development of the United States as a republic, (b) the organization and principal functions of the Government of the United States, and of the States and local units of government, (c) the fundamental principles of the Constitution of the United States, and (d) the relation of the individual to government—National, State, and local—the rights and privileges growing from that relationship and the duties and responsibilities which result from it. The examination shall be couched in simple language and shall avoid technical and extremely difficult questions.

PART 361—OFFICIAL FORMS

Section 361.7 is amended by changing the designation of paragraph (e) to paragraph (f) and inserting a new paragraph (e) which, when taken with the introductory sentence of the section, will read as follows:

§ 361.7 *Amendment of forms for petitions for naturalization.* The official forms for petitions for naturalization shall be altered by the clerk of court, as follows:

* * * * *

(e) *Exemption from reading, writing, and speaking English language.* In case the ability to read, write, and speak the English language is not required, by striking out allegation 16 on Form N–405, N–406, or N–418.

(Pub. Law 831, 81st Cong.)

PART 370—PETITION FOR NATURALIZATION

The last sentence of § 370.8, *Investigation preliminary to filing petition for naturalization; facts to be ascertained; manner of conducting and uniformity; limitation,* is amended to read as follows: "The interview shall be limited to inquiry concerning the residence, moral character of the applicant, his knowledge and understanding of the fundamental principles of the Constitution of the United States, the fundamental history of the United States, the principles and form of government of the United States, his ability to read, write, and speak the English language, and his other qualifications to become a naturalized citizen, and shall be uniform throughout the United States."

PART 373—NATURALIZATION HEARINGS AND PROOF OF NATURALIZATION REQUIREMENTS

Sections 373.1 and 373.2 are amended to read as follows:

§ 373.1 *Preliminary examinations, under section 333 of the Nationality Act of 1940*—(a) *Conduct of examinations.* Preliminary examinations conducted under section 333 of the Nationality Act of 1940 shall be open to the public. Whenever practicable, a member of the Service other than the person who conducted the preliminary investigation shall serve as designated examiner. The designated examiner shall preside at the preliminary examination and the petitioner and his witnesses shall be present. The petitioner and witnesses shall first be duly sworn. The designated examiner shall have before him at the preliminary examination the record of the preliminary investigation in each case, including the sworn Form N–400. However, he shall not be limited to the information contained in such record, but may use any admissible material evidence or data received from any other source; and he may present and examine witnesses other than those produced by the petitioner. All evidence upon which the findings and recommendations to the court will be made, including evidence relating to the competency and credibility of witnesses, shall be presented at the preliminary examination.

(b) *Subpena by designated examiner.* Designated examiners are authorized to subpena witnesses and to require the production of books, papers, and documents relevant to any petition for naturalization. The power to issue subpenas shall be exercised only when absolutely necessary. Whenever a designated examiner conducting a preliminary examination has reason to believe that a certain witness whose testimony is deemed essential to a proper recommendation in the case will not appear and testify or produce books, papers, and documents unless commanded to do so, such designated examiner shall issue a subpena and have it served upon such witness. If a petitioner or his authorized attorney or representative requests that a witness be subpenaed, he shall be required, as a condition precedent to the granting of his request, to state in writing what he expects to prove by such witness or the books, papers and documents indicated by him, and to show affirmatively that the proposed evidence is relevant and material and that he has made diligent efforts without success to produce the same. The examination of the witness or of the books, papers and documents, produced by the witness shall be limited to the purpose specified in such written statement of the petitioner or his authorized attorney or representative.

(c) *Issuance and service of subpena; invoking aid of court.* Upon determining that a witness whose evidence is desired by the Government or the petitioner will not appear and testify or produce written evidence unless commanded to do so, the designated examiner shall issue a subpena and have it served upon the witness, due record of service to be made. If the witness neglects or refuses to respond to the subpena, or refuses to testify before the designated examiner, the United States Attorney of the proper district may be requested so to report to any court exercising naturalization jurisdiction as specified in Part 320 of this chapter, and move that an order be issued requiring the witness to appear and testify or to produce written evidence, as provided by section 333 (a) of the Nationality Act of 1940, as amended (54 Stat. 1156, Public Law 831, 81st Cong.; 8 U. S. C. 733), or for action as therein specified in the event of continued neglect or refusal.

(d) *Expenses of subpenaed witnesses.* If a subpena is issued under authority of section 333 (a) of the Nationality Act of 1940, as amended, by the designated examiner, mileage and fees shall be paid by the party at whose instance the subpena is issued at rates not to exceed those usually allowed by the United States District Court for the district in which the testimony is taken. In any case in which the total amount of mileage and fees for witnesses subpenaed for the Government exceeds $25.00, specific authority for the expenditure must be obtained in advance from the Commissioner.

(e) *Representation by attorney or representative.* The alien may, at his request, be represented by an attorney or representative. The words "attorney or representative" as used in this part shall mean an attorney or representative as defined in § 95.1 of this chapter. If an attorney or representative be selected, it shall be ascertained by the designated examiner that such attorney or representative has been admitted to practice before the Service in accordance with § 95.2 of this chapter or is exempt from such requirement under the terms of that section. If the petitioner is represented by an attorney or representative, such attorney or representative shall be permitted to be present at all times during the examination and at any subsequent examinations, and the petitioner shall not thereafter be interrogated without the presence of his attorney or representative unless such appearance is waived. The attorney or representative shall be permitted to offer evidence to meet any evidence presented or adduced by the Government and to cross-examine witnesses called by the Government. The designated examiner shall rule on all objections to the introduction of evidence. Evidence ruled by the designated examiner to be inadmissible shall nevertheless be received into the record, subject to the ruling of the court. The attorney or representative shall be permitted to state his objections succinctly and they shall be entered on the record. Argument of the attorney or representative in support of his objections shall be excluded from the record. However, the attorney or representative may submit such argument in the form of a brief to accompany the record.

(f) *Absence of representation, by an attorney or representative.* A petitioner who is not represented by an attorney or representative shall be permitted to

offer evidence to meet any evidence presented or adduced by the Government, to cross-examine witnesses called by the Government, and to make objections which shall be introduced in the record, but if the examination is formally recorded, his arguments in support of the objections may be excluded from the record. In that event, however, the petitioner shall be permitted to submit arguments in writing to accompany the record.

(g) *Assignment of examining officer in addition to designated examiner; duties of officers.* The district director or officer in charge may in his discretion assign a second naturalization examiner to act at the examination as "examining officer." The examining officer shall conduct the actual interrogation of the witnesses in behalf of the Government, and the cross-examination of the petitioner and the witnesses produced in behalf of the petitioner, and present such evidence as may be pertinent to determine the admissibility of the petitioner to citizenship. The designated examiner shall exercise all functions not herein assigned to the examining officer and, in addition, may take such part in the interrogation of the petitioner and witnesses as he may deem necessary to assure that proper examination is accorded the petitioner. The designated examiner shall rule on all objections to the introduction of evidence or motions made during the course of the examination.

(h) *Conduct of the examination.* The designated examiner shall, prior to the beginning of the examination, make known to the petitioner the official capacity in which he is conducting the examination and shall identify as to official capacity any other representative of the Service taking part in the proceedings. In cases in which no examining officer has been assigned pursuant to this section, the designated examiner shall interrogate any witnesses produced in behalf of the Government, present all evidence available in behalf of the Government, and examine and cross-examine the petitioner and witnesses produced in behalf of the petitioner. If the petitioner is not represented by an attorney or representative, the designated examiner shall assist the petitioner in the introduction of all evidence available in his behalf. A continuance of the examination shall be granted upon motion of the petitioner or of the Government for the purpose of obtaining additional witnesses or evidence relating to the petitioner's eligibility for naturalization. The designated examiner shall see that all documentary or written evidence is properly identified and introduced into the record as exhibits by number, unless read into the record. He shall further make sure that the record, if stenographically reported, is a verbatim record of everything that is stated in the course of the examination, including the oaths administered to the petitioner and witnesses and the rulings on objection, except statements made off the record with the consent of the petitioner or his attorney or representative and arguments in support of objections. Thereafter he shall certify that the transcribed minutes constitute a complete and accurate record of the examination. At the time the designated examiner or officer conducts the preliminary examination of each petitioner he shall enter on Form N-476 the petition number and the petitioner's name, and, upon completion of the examination, he shall fill in the symbols indicating his findings and a brief notation of the reasons for any unfavorable finding. This docket shall be signed by him and shall be made available to the court whenever desired, and after the final hearing shall be filed of record in the field office. After the conclusion of the preliminary examination the witnesses may be excused from further appearance in each case in which the recommendation to the court is favorable to the petitioner. In any case in which the recommendation is unfavorable, the designated examiner shall inform the petitioner of his right to appear before the court in person with his witnesses at the final hearing.

(i) *Examinations stenographically reported.* A stenographer shall be in attendance at the preliminary examination in each case in which, in the judgment of the designated examiner, the complexity of the issues and evidence justifies such attendance, and in each case in which an examining officer is assigned. The stenographer shall record verbatim the entire proceedings, except statements made off the record with the consent of the petitioner or his attorney or representative and arguments of the petitioner or his attorney or representative in support of objections.

(j) *Findings, conclusions, and recommendation; preparation by designated examiner.* At the conclusion of the examination, the petitioner or his attorney or representative and the examining officer, if one has been assigned, shall be offered an opportunity to submit briefs in support of arguments made at the examination. A reasonable time for the preparation of such briefs shall be granted. In addition to meeting the requirements of paragraph (i) of this section, the designated examiner, in those cases in which the recommendation to the court is for denial of the petition, and in those cases in which it is necessary to present facts to the court in connection with petitions recommended for granting, shall prepare, as soon as practicable after the examination has been concluded, a memorandum setting forth a summary of the evidence adduced at the examination, his findings of fact and conclusions of law, and a recommendation as to the final disposition of the petition by the court. This memorandum shall be based upon the evidence adduced, and shall be prepared after consideration of any briefs submitted by the petitioner or by an attorney or representative for the petitioner or by the examining officer. The memorandum, together with the record of the preliminary examination, shall be submitted to the Commissioner before final hearing in those cases designated by him. If the views or recommendation of the Commissioner do not agree with those of the designated examiner, the views and recommendation of both the designated examiner and the Commissioner shall be submitted to the court at the hearing upon the petition and the officer in attendance at the final hearing shall inform the court that the Commissioner disagrees with the views and recommendation of the designated examiner and shall, at the request of the court, present both the views of the designated examiner and the Commissioner. At the time of the final hearing or prior thereto, the memorandum of the designated examiner and the memorandum of the Commissioner, if any, shall be presented to the court and made a part of the record in the case. A copy of the memorandum of the designated examiner and the memorandum of the Commissioner, if any, shall also be furnished to the petitioner or to the petitioner's attorney or representative.

(k) *Advice to petitioner of right to representation.* If at any stage during the preliminary examination it becomes apparent to the designated examiner that his recommendation may be that the petition be denied, or that the petition be granted with the facts to be presented to the court, he shall advise the petitioner of his right to be represented by an attorney or representative. A continuance of the examination shall be granted upon the petitioner's motion for the purpose of obtaining an attorney or representative.

(l) *Preparation of recommendations and orders of court for presentation at final hearing.* Prior to final hearing there shall be prepared, in triplicate, for presentation to the court lists on Form N-480 or N-481 or N-490 for petitions recommended to be granted, on Form N-483 for petitions recommended to be continued, and on Form N-484 or N-491 for petitions recommended to be denied. These forms shall be signed by the officer in attendance at the final hearing and submitted to the court at or before the final hearing. In any case in which the Commissioner also makes a recommendation, the Commissioner's list shall be prepared in triplicate, signed by the district officer acting for the Commissioner, and submitted to the court at or before the final hearing. After the final hearing has been held an order of court shall be prepared in triplicate on Form N-482 for petitions recommended to be granted by the designated examiner, on Form N-483 for petitions recommended to be continued by the designated examiner, on Form N-484-A for petitions recommended to be denied by the designated examiner, on Form N-490 for petitions granted, and on Form N-491 for petitions denied. An order of court in connection with a recommendation made by the Commissioner shall be prepared in triplicate at the bottom of the Commissioner's list on Form N-492 or Form N-493. The originals of the orders of court shall be presented for signature to the judge who presided at the final hearing. The originals of all the orders and lists shall be filed permanently in the court, the duplicates forwarded by the clerk of court through the appropriate field office to the Commissioner, and the triplicates filed in the field office.

The same disposition shall be made of the orders and lists which have not been approved by the court.

(Sec. 333, 334 (b), 54 Stat. 1156, as amended, Pub. Law 831, 81st Cong.; 8 U. S. C. 733, 734 (b))

§ 373.2 *Proof of residence and other qualifications.* At the preliminary examination upon the petition for naturalization before a designated examiner, or, if no preliminary examination is held, at the final hearing before the court, the petitioner shall prove the qualifications required by section 307 (a) of the Nationality Act of 1940 either by depositions taken in accordance with § 373.3, or by the oral testimony of at least two credible citizen witnesses for each place of his residence except that proof, if required, of the petitioner's residence in the State in which the petition is filed covering the six months' period immediately preceding the filing of the petition shall be made only by the oral testimony of such witnesses. In case oral testimony to establish residence prior to the period of six months immediately preceding the filing of the petition is taken before a court or before a designated examiner, an affidavit on Form N–451 shall be executed by the witnesses in duplicate before the clerk of court or the designated examiner, one copy of which affidavit shall be attached to the original petition and the other to the duplicate petition. If the testimony of the witnesses is heard by a designated examiner, the witnesses may be excused from appearance before the court at the final hearing unless the petitioner otherwise demands or the court otherwise orders.

(Secs. 307, 309, 327 (e), 333, 334, 54 Stat. 1142, 1143, 1151, 1156, as amended, Pub. Law 831, 81st Cong.; 8 U. S. C. 707, 709, 727 (e), 733, 734)

Section 373.11 is added as follows:

§ 373.11 *Recommendation of examiner when deportation proceedings are pending.* When a deportation proceeding pursuant to a warrant of arrest issued under the provisions of any act is pending against a petitioner for naturalization, the recommendation of the designated examiner or the examiner in attendance at the final hearing shall be that the petition be continued until final termination of the deportation proceedings. If the recommendation is overruled by the court, the necessary action shall be taken to preserve the Government's right of review.

(Sec. 329 (c), 54 Stat. 1152, as amended by sec. 27, Pub. Law 831, 81st Cong.)

PART 375—OATH OF RENUNCIATION AND ALLEGIANCE

1. Section 375.1, *Petitioners for naturalization required to take oath of renunciation and allegiance,* is amended by deleting the words "the oath" and inserting therefor the words "one of the oaths".

2. Paragraphs (a) and (c) of § 375.2, *Oath of renunciation and allegiance by certain women before a naturalization court or a diplomatic or consular officer of the United States,* are amended by deleting the words "the oath" and inserting therefor the words "one of the oaths".

3. Section 375.3, *Oath of renunciation and allegiance waived in the cases of certain children,* is amended by deleting the word "oath" and inserting therefor the word "oaths".

4. The following section is added:

§ 375.5 *Oath of allegiance; willingness to bear arms.* Before being admitted to citizenship, a petitioner shall be required to take in open court the oath prescribed in section 335 (b) (1) of the Nationality Act of 1940, as amended (54 Stat. 1157, Public Law 831, 81st Cong.; 8 U. S. C. 735), unless by clear and convincing evidence he establishes that he is opposed to the bearing of arms or the performance of noncombatant service in the armed forces of the United States by reason of religious training and belief. If the petitioner establishes such opposition he may take the oath of allegiance prescribed in section 335 (b) (2).

This order shall be considered effective as of September 23, 1950. The regulations prescribed by the order are necessary for carrying out the provisions of the Subversive Activities Control Act of 1950 (Public Law 831, 81st Congress), which became effective on September 23, 1950. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to notice of proposed rule making and delayed effective date is impracticable and contrary to public interest in this instance, since such compliance would unduly delay and impede the administration and enforcement of the Subversive Activities Control Act of 1950.

(R. S. 161, 360, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, secs. 37, 327, 54 Stat. 675, 1150; 5 U. S. C. 22, 311, 8 U. S. C. 102, 222, 458, 727)

[SEAL] A. R. MACKEY,
Acting Commissioner of Immigration and Naturalization.

Approved: November 24, 1950.

J. HOWARD MCGRATH,
Attorney General.

[F. R. Doc. 50–10811; Filed, Nov. 27, 1950; 10:35 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration

[Amdt. 35]

PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AMENDMENTS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required. Part 600 is amended as follows:

1. Section 600.102 *Amber civil airway No. 2 (Long Beach, Calif., to Point Barrow, Alaska)* is amended by changing the type of facility shown at Bettles, Alaska, from "non-directional marker beacon" to "radio range station".

2. Section 600.219 is amended to read:

§ 600.219 *Red civil airway No. 19 (Grand Rapids, Mich., to Norfolk, Va.).* From the Grand Rapids, Mich., radio range station via the intersection of the southwest course of the Grand Rapids, Mich., radio range and the north course of the Goshen, Ind., radio range to the Goshen, Ind., radio range station. From the intersection of the east course of the Goshen, Ind., radio range and the northwest course of the Fort Wayne, Ind., radio range via the Fort Wayne, Ind., radio range station to the Dayton, Ohio, radio range station. From the intersection of the west course of the Pittsburgh, Pa., radio range and the northwest course of the Morgantown, W. Va., radio range via the Morgantown, W. Va., radio range station to the intersection of the southeast course of the Morgantown, W. Va., radio range and the west course of the Front Royal, Va., radio range. From the intersection of the southwest course of the Arcola, Va., radio range and the west course of the Quantico, Va. (Navy), radio range to the Quantico, Va. (Navy), radio range station, excluding the portion more than 1 mile north of the west course of the Quantico, Va. (Navy), radio range. From the intersection of the north course of the Richmond, Va., radio range and the northwest course of the Tappahannock, Va., radio range via the Tappahannock, Va., radio range station to the intersection of the southeast course of the Tappahannock, Va., radio range and the north course of the Norfolk, Va. (Navy), radio range, excluding those portions more than 2 miles either side of the northwest course of the Tappahannock, Va., radio range and the portion which overlaps the Patuxent, Md., Danger Area.

3. Section 600.231 is amended to read:

§ 600.231 *Red civil airway No. 31 (Denver, Colo., to Minneapolis, Minn.).* From the Denver, Colo., VHF radio range station to the intersection of the north course of the Denver, Colo., VHF radio range and the east course of the Cheyenne, Wyo., radio range. From the intersection of the east course of the Cheyenne, Wyo., radio range and the

southwest course of the Scottsbluff, Nebr., radio range via the Scottsbluff, Nebr., radio range station; the intersection of the northeast course of the Scottsbluff, Nebr., radio range and the south course of the Rapid City, S. Dak., radio range; Rapid City, S. Dak., radio range station; the intersection of the east course of the Rapid City, S. Dak., radio range and the west course of the Pierre, S. Dak., radio range; Pierre, S. Dak., radio range station; the intersection of the east course of the Pierre, S. Dak., radio range and the southwest course of the Huron, S. Dak., radio range; Huron, S. Dak., radio range station; Watertown, S. Dak., radio range station; Willmar, Minn., radio range station to the intersection of the east course of the Willmar, Minn., radio range and the northwest course of the Minneapolis, Minn., radio range. From the Minneapolis, Minn., radio range station via the Stanton, Minn., non-directional radio beacon to the intersection of the southeast course of the Minneapolis, Minn., radio range and the north course of the Rochester, Minn., radio range.

4. Section 600.254 is amended to read:

§ 600.254 *Red civil airway No. 54 (Burley, Idaho to Salt Lake City, Utah).* From the Burley, Idaho, radio range station via the Strevell, Idaho, non-directional radio beacon; Promontory Point, Utah, non-directional radio beacon to a point located at Lat. 40°47'00", Long. 112°23'00".

5. Section 600.297 is added to read:

§ 600.297 *Red civil airway No. 97 (Buffalo, N. Y., to New York, N. Y.).* From the Buffalo, N. Y., omnirange station via the Buffalo, N. Y., omnirange 120° magnetic enroute radial and the Binghamton, N. Y., omnirange 303° magnetic enroute radial; Binghamton, N. Y., omnirange station to the intersection of the Binghamton, N. Y., omnirange 150° magnetic enroute radial and the northwest course of the La Guardia, N. Y., radio range.

6. Section 600.620 is amended to read:

§ 600.620 *Blue civil airway No. 20 (Atlantic City, N. J., to Allentown, Pa.).* From the Atlantic City, N. J. (Navy) radio range station via the intersection of the west course of the Atlantic City, N. J. (Navy) radio range and the southeast course of the Millville, N. J., radio range; the intersection of the southeast course of the Millville, N. J., radio range and the southeast course of the Philadelphia, Pa., radio range; Philadelphia, Pa., radio range station to the Allentown, Pa., radio range station.

7. Section 600.622 is amended to read:

§ 600.622 *Blue civil airway No. 22 (Memphis, Tenn., to Wichita, Kans.).* From the intersection of the southwest course of the Memphis, Tenn., radio range and the southeast course of the Little Rock, Ark., radio range via the Little Rock, Ark., radio range station; Van Buren, Ark., non-directional radio beacon; Tulsa, Okla., radio range station to the intersection of the northwest course of the Tulsa, Okla., radio range and the southeast course of the Wichita, Kans., radio range.

8. Section 600.631 is amended to read:

§ 600.631 *Blue civil airway No. 31 (Burlington, Iowa to Madison, Wis.).* From the intersection of the west course of the Peoria, Ill., radio range and the south course of the Moline, Ill., radio range to the Moline, Ill., radio range station. From the intersection of the southwest course of the Madison, Wis., radio range and the northwest course of the Rockford, Ill., radio range to the Madison, Wis., radio range station.

9. Section 600.633 is amended to read:

§ 600.633 *Blue civil airway No. 33 (Archbold, Ohio, to Saginaw, Mich.).* From the Archbold, Ohio, non-directional radio beacon to a point at the intersection of a straight line between the Archbold, Ohio, non-directional radio beacon and the Jackson, Mich., non-directional radio beacon with the west course of the Detroit, Mich., radio range. From the Lansing, Mich., radio range station to the Saginaw, Mich., non-directional radio beacon.

10. Section 600.642 is amended to read:

§ 600.642 *Blue civil airway No. 42 (Kokomo, Ind., to Saginaw, Mich.).* From the intersection of the south course of the Goshen, Ind., radio range and the southwest course of the Fort Wayne, Ind., radio range to the Goshen, Ind., radio range station. From the intersection of the east course of the South Bend, Ind., radio range and the south course of the Battle Creek, Mich., radio range via the Battle Creek, Mich., radio range station; the intersection of the north course of the Battle Creek, Mich., radio range and the southeast course of the Grand Rapids, Mich., radio range; Grand Rapids, Mich., radio range station to the Saginaw, Mich., non-directional radio beacon.

11. Section 600.649 is amended to read:

§ 600.649 *Blue civil airway No. 49 (Atlantic City, N. J., to Philadelphia, Pa.).* From the intersection of the southwest course of the Atlantic City, N. J., VHF radio range and the southeast course of the Philadelphia, Pa., radio range via the intersection of the southeast course of the Philadelphia, Pa., radio range and the southeast course of the Millville, N. J., radio range; Millville, N. J., radio range station to the intersection of the northwest course of the Millville, N. J., radio range and the southwest course of the Philadelphia, Pa., radio range.

12. Section 600.662 is amended to read:

§ 600.662 *Blue civil airway No. 62 (Ypsilanti, Mich., to Saginaw, Mich.).* From the intersection of the west course of the Detroit, Mich., radio range and the south course of the Salem, Mich., VHF radio range via the Salem, Mich., VHF radio range station; Flint, Mich., non-directional radio beacon to the Saginaw, Mich., non-directional radio beacon.

13. Section 600.675 is added to read:

§ 600.675 *Blue civil airway No. 75 (Miami, Fla., to Tampa, Fla.).* From the Miami, Fla., radio range station to the Tampa, Fla., radio range station.

14. Section 600.676 is added to read:

§ 600.676 *Blue civil airway No. 76 (Sinclair, Wyo., to Casper, Wyo.).* From the Sinclair, Wyo., radio range station to the Casper, Wyo., radio range station.

15. Section 600.677 is added to read:

§ 600.677 *Blue civil airway No. 77 (Promontory Point, Utah, to Corinne, Utah).* From the Promontory Point, Utah, non-directional radio beacon to the Corinne, Utah, non-directional radio beacon.

16. Section 600.678 is added to read:

§ 600.678 *Blue civil airway No. 78 (Promontory Point, Utah, to Malad City, Idaho.)* From a point located at Lat. 41°34'30" Long. 112°46'00" to the Malad City, Idaho radio range station.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. November 28, 1950.

[SEAL] LEONARD W. JURDEN,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 50-10695; Filed, Nov. 27, 1950; 8:45 a. m.]

[Amdt. 38]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

MISCELLANEOUS AMENDMENTS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required. Part 601 is amended as follows:

1. Section 601.13 *Green civil airway No. 3 control areas (San Francisco, Calif.,*

to Boston, Mass.) is amended by adding the following control area to the presently designated control areas: "From the Grand Island, Nebr., omnirange station to the Omaha, Nebr., omnirange station via the direct enroute radials, including all that area bounded on the north by Green civil airway No. 3, on the south by the Grand Island-Omaha direct enroute radials and on the east by Amber civil airway No. 4."

2. Section 601.223 is amended to read:

§ 601.223 *Red civil airway No. 23 control areas (United States-Canadian Border to New York, N. Y.)* All of Red civil airway No. 23 within the United States, including all that area within 5 miles either side of the enroute radials from the Buffalo, N. Y., omnirange station to the Elmira, N. Y., omnirange station via the intersection of the Buffalo, N. Y., omnirange 137° magnetic enroute radial and the Elmira, N. Y., omnirange 308° magnetic enroute radial; from the Elmira, N. Y., omnirange station to the Caldwell, N. J., omnirange station via the intersection of the Elmira, N. Y., omnirange 138° magnetic enroute radial and the Caldwell, N. J., omnirange 305° magnetic enroute radial, and all that area bounded on the north by Red civil airway No. 23 and on the south by the Elmira 138°-Caldwell 305° magnetic enroute radials.

3. Section 601.297 is added to read:

§ 601.297 *Red civil airway No. 97 control areas (Buffalo, N. Y., to New York, N. Y.).* All of Red civil airway No. 97.

4. Section 601.631 is amended by changing the caption to read: "*Blue civil airway No. 31 control areas (Burlington, Iowa, to Madison, Wis.).*"

5. Section 601.633 is amended by changing the caption to read: "*Blue civil airway No. 33 control areas (Archbold, Ohio, to Saginaw, Mich.).*"

6. Section 601.642 is amended by changing the caption to read: "*Blue civil airway No. 42 control areas (Kokomo, Ind., to Saginaw, Mich.).*"

7. Section 601.662 is amended by changing the caption to read: "*Blue civil airway No. 62 control areas (Ypsilanti, Mich., to Saginaw, Mich.).*"

8. Section 601.675 is added to read:

§ 601.675 *Blue civil airway No. 75 control areas (Miami, Fla., to Tampa, Fla.).* All of Blue civil airway No. 75.

9. Section 601.676 is added to read:

§ 601.676 *Blue civil airway No. 76 control areas (Sinclair, Wyo., to Casper, Wyo.).* All of Blue civil airway No. 76.

10. Section 601.677 is added to read:

§ 601.677 *Blue civil airway No. 77 control areas (Promontory Point, Utah, to Corinne, Utah).* All of Blue civil airway No. 77.

11. Section 601.678 is added to read:

§ 601.678 *Blue civil airway No. 78 control areas (Promontory Point, Utah, to Malad City, Idaho).* All of Blue civil airway No. 78.

12. Section 601.1009 is amended to read:

§ 601.1009 *Control area extension (Augusta, Ga.).* From the Augusta, Ga., radio range station extending 5 miles either side of the southwest course of the radio range to a point 20 miles southwest of the radio range station, and extending 5 miles either side of the centerline of the north-south runway of Bush Field, Augusta, Ga., to a point 30 miles south of Bush Field.

13. Section 601.1054 is added to read:

§ 601.1054 *Control area extension (Sinclair, Wyo.).* From the Sinclair, Wyo., radio range station extending 5 miles either side of the north course of the radio range to a point 25 miles north of the radio range station.

14. Section 601.1055 is amended to read:

§ 601.1055 *Control area extension (Elmira, N. Y.).* Within a 15 mile radius of the Elmira, N. Y., omnirange station.

15. Section 601.1056 *Control Area Extension Wilkes Barre, Pa.,* is revoked.

16. Section 601.1056 is added to read:

§ 601.1056 *Control area extension (Buffalo, N. Y.).* Within a 15 mile radius of the Buffalo, N. Y., omnirange station.

17. Section 601.1057 *Control Area Extension Altoona, Pa.,* is revoked.

18. Section 601.1057 is added to read:

§ 601.1057 *Control area extension (Binghamton, N. Y.).* Within a 15 mile radius of the Binghamton, N. Y., omnirange station.

19. Section 601.1069 is amended to read:

§ 601.1069 *Control area extension (Santa Barbara, Calif.).* From the Santa Barbara, Calif., radio range station extending 5 miles either side of the west course of the Santa Barbara, Calif., radio range to a point 25 miles west of the radio range station, extending 5 miles either side of the south course of the Santa Barbara, Calif., radio range to a point 25 miles south of the radio range station, and extending 5 miles either side of the north course of the radio range to a point 25 miles north of the radio range station; extending 5 miles either side of the northeast and southwest courses of the Santa Barbara, Calif., VHF radio range from the Santa Barbara VHF radio range station to points 25 miles northeast and southwest of the VHF radio range station.

20. Section 601.1074 is amended to read:

§ 601.1074 *Control area extension (Los Angeles, Calif.).* From the Los Angeles, Calif., radio range station extending 5 miles either side of the west and southeast courses of the radio range to points 40 miles from the Los Angeles, Calif., radio range station on the west and southeast courses of the radio range; from the Los Angeles, Calif., radio range station extending 5 miles either side of a track of 205° magnetic to a point 40 miles from the radio range station; from the Los Angeles, Calif., VHF radio range station extending 5 miles either side of the south course of the Los Angeles, Calif., VHF radio range to a point 40 miles south of the radio range station including that area from the intersection of the southeast course of the Camarillo, Calif., radio range and the west course of the Los Angeles, Calif., VHF radio range extending 5 miles either side of the southeast course of the Camarillo, Calif., radio range to its intersection with a bearing 205° magnetic from the Los Angeles, Calif., radio range station.

21. Section 601.1084 *Control Area Extension Norfolk, Va.,* is revoked.

22. Section 601.1084 is added to read:

§ 601.1084 *Control area extension (Quincy, Ill.).* From the Quincy, Ill., nondirectional radio beacon extending 5 miles either side of a bearing 215° magnetic from the non-directional radio beacon to a point 20 miles southwest of the non-directional radio beacon.

23. Section 601.1095 is amended to read:

§ 601.1095 *Control area extension (Fort Wayne, Ind.).* From the Fort Wayne, Ind., ILS localizer extending 5 miles either side of the localizer course to a point 20 miles southeast of the outer marker and extending 5 miles either side of the northwest course (back course) of the ILS localizer to a point 20 miles northwest of Baer Field, Fort Wayne, Ind.

24. Section 601.1101 is amended to read:

§ 601.1101 *Control area extension (Madison, Wis.).* From the Madison, Wis., radio range station extending 5 miles either side of the southeast course of the radio range to a point 20 miles southeast of the radio range station and extending 5 miles either side of the northwest course of the radio range to a point 25 miles northwest of the radio range station.

25. Section 601.1113 is amended to read:

§ 601.1113 *Control area extension (San Francisco, Calif.).* All that area bounded on the northeast by a line extending through the San Francisco, Calif., and Moffett Field, Calif., radio range stations, on the northwest by a line 5 miles northwest of and parallel to the southwest course of the San Francisco, Calif., radio range, on the west by a line 3 nautical miles off shore, on the southeast by a line 5 miles southeast of and parallel to the southwest course of the Moffett Field radio range, and including all that area northeast of the San Francisco, Calif., radio range station bounded on the northwest by Amber civil airway No. 8, on the northeast by Blue civil airway No. 10 and on the southeast and southwest by Green civil airway No. 3.

26. Section 601.1149 is amended to read:

§ 601.1149 *Control area extension (Norfolk, Va.).* Within a 25 mile radius of a point at Lat. 36° 58′ 00″, Long. 76° 25′ 00″, extending 5 miles either side of the north course of the Norfolk,

Va. (Navy), radio range from the radio range station to its intersection with the southeast course of the Tappahannock, Va., radio range excluding the Plum Tree Island Danger Area, and extending 5 miles either side of the east course of the Norfolk, Va. (Navy), radio range to its intersection with the south course of the Chincoteague, Va. (Navy), radio range, excluding that portion below 2000 feet between the shoreline of the United States and the intersection of the east course of the Norfolk, Va. (Navy), radio range and the south course of the Chincoteague, Va. (Navy), radio range.

27. Section 601.1157 *Control Area Extension (Chicago, Ill.)*, is corrected by changing the name of the "Orchard Place Airport" to "O'Hare International Airport."

28. Section 601.1159 is amended to read:

§ 601.1159 *Control area extension (Moline, Ill.)*. From the Quad City Airport, Moline, Ill., extending 5 miles either side of the west course of the Moline, Ill., ILS localizer to a point 5 miles west of its intersection with the north course of the Burlington, Iowa, radio range, and extending eastward from the Quad City Airport between the southern boundary of Green civil airway No. 3 and a line 5 miles south of and parallel to the east course (back course) of the Moline, Ill., ILS localizer to a point 25 miles east of the Quad City Airport.

29. Section 601.1161 is amended to read:

§ 601.1161 *Control area extension (Chicago, Ill.)*. Within a 30 mile radius of the Chicago Midway Airport extending 5 miles either side of the northwest course of the Chicago Midway Airport localizer to its intersection with the east course of the Rockford, Ill., radio range, and including all that area east of the Chicago Midway Airport bounded on the northwest by Red civil airway No. 28, on the east by Blue civil airway No. 6 and on the south by Red civil airway No. 12 and all that area southeast of Chicago Midway Airport bounded on the north by Red civil airway No. 12, on the east by Blue civil airway No. 6, on the south by Green civil airway No. 3 and on the west by Red civil airway No. 14, excluding the portion overlapping the Glenview Danger Area.

30. Section 601.1167 is amended to read:

§ 601.1167 *Control area extension (Winston-Salem, N. C.)*. From the Smith Reynolds Airport, Winston-Salem, N. C., ILS localizer extending 5 miles either side of the localizer course to a point 30 miles southeast of the ILS localizer.

31. Section 601.1183 is added to read:

§ 601.1183 *Control area extension (Wake Island)*. From the Wake Island non-directional radio beacon extending 5 miles either side of rhumb lines to points 3 nautical miles off the shoreline of the Island of Wake between the following points: Wake-Honolulu; Wake-Tokyo; Wake-Guam; Wake-Midway.

32. Section 601.1184 is added to read:

§ 601.1184 *Control area extension (Douglas, Ariz.)*. From the Douglas, Ariz., radio range station extending 5 miles either side of the southwest and southeast courses of the radio range to their intersection with the U. S.-Mexican Border.

33. Section 601.1185 is added to read:

§ 601.1185 *Control area extension (Cochise, Ariz.)*. From the Cochise, Ariz., radio range station extending 5 miles either side of the southeast course of the radio range to a point 25 miles southeast of the radio range station.

34. Section 601.1186 is added to read:

§ 601.1186 *Control area extension (Tucson, Ariz.)*. From the Tucson, Ariz., radio range station extending 5 miles on the northwest side of the southwest course of the Tucson radio range to a point 25 miles southwest of the radio range station.

35. Section 601.1187 is added to read:

§ 601.1187 *Control area extension (Jackson, Mich.)* All that area south of the Jackson, Mich., non-directional radio beacon bounded on the north by Red civil airway No. 63, on the east by Red civil airway No. 62, on the south by Red civil airway No. 12, and on the west by Red civil airway No. 57.

36. Section 601.1188 is added to read:

§ 601.1188 *Control area extension (Milwaukee, Wis.)*. From the Milwaukee, Wis., radio range station extending 5 miles either side of the north course of the radio range to a point 25 miles north of the radio range station, and all that area west of the Milwaukee, Wis., radio range station bounded on the north by Green civil airway No. 2, on the southeast by Red civil airway No. 57 and on the southwest by Red civil airway No. 42.

37. Section 601.1189 is added to read:

§ 601.1189 *Control area extension (Daggett, Calif.)*. From the Daggett, Calif., radio range station extending 5 miles either side of the north course of the radio range to a point 20 miles north of the radio range station.

38. Section 601.1190 is added to read:

§ 601.1190 *Control area extension (Fairfield, Calif.)*. All that area northeast of the Fairfield-Suisun, Calif., radio range station bounded on the west by Blue civil airway No. 7, on the northeast by Amber civil airway No. 1 and on the southeast by Amber civil airway No. 8.

39 Section 601.1191 is added to read:

§ 601.1191 *Control area extension (Thermal, Calif.)*. From the Thermal, Calif., radio range station extending 5 miles either side of a direct line between the Thermal, Calif., radio range station and the Hayfield Lake, Calif., non-directional radio beacon to the Hayfield Lake, Calif., non-directional radio beacon.

40. Section 601.1192 is added to read:

§ 601.1192 *Control area extension (Merced, Calif.)*. All that area northwest and southeast of the Merced (Castle), Calif., radio range station bounded on the west by a line parallel to and 5 miles southwest of the northwest and southeast courses of the Merced, Calif. (Castle) radio range extending from its intersection with Blue civil airway No. 14 to its intersection with Blue civil airway No. 10.

41. Section 601.1193 is added to read:

§ 601.1193 *Control area extension (Monterey, Calif.)*. All that area bounded by a line beginning at a point 3 nautical miles off-shore and 5 miles southeast of the southwest course of the Moffett Field, Calif. (Navy) radio range extending to Lat. 36°27'30", Long. 121°52'30", thence parallel to and 5 miles southeast of the southwest course of the Salinas, Calif., VHF radio range to the western boundary of Amber civil airway No. 8, excluding the area overlapping the Fort Ord, Calif., Danger Area.

42. Section 601.1194 is added to read:

§ 601.1194 *Control area extension (Sacramento, Calif.)*. Within a 25 mile radius of Mather AFB, Sacramento, Calif., including all that area northwest of Mather AFB bounded on the north by Red civil airway No. 76, on the southeast by Green civil airway No. 3 and on the southwest by Amber civil airway No. 1.

43. Section 601.1195 is added to read:

§ 601.1195 *Control area extension (Silver Lake, Calif.)*. From the Silver Lake, Calif., radio range station extending 5 miles either side of the southeast course of the radio range to a point 25 miles southeast of the radio range station.

44. Section 601.1196 is added to read:

§ 601.1196 *Control area extension (Yuma, Ariz.)*. From the Yuma, Ariz., radio range station extending 5 miles either side of the south course of the radio range to a point 15 miles south of the radio range station.

45. Section 601.1197 is added to read:

§ 601.1197 *Control area extension (Dubois, Idaho)*. From the Dubois, Idaho, radio range station extending 5 miles either side of the east course of the Dubois radio range to its intersection with the northeast course of the Idaho Falls, Idaho, radio range.

46. Section 601.1198 is added to read:

§ 601.1198 *Control area extension (Idaho Falls, Idaho)*. From the Idaho Falls, Idaho, radio range station extending 5 miles either side of the northwest course of the radio range to its intersection with Blue civil airway No. 51, and extending 5 miles either side of the northeast course of the radio range to its intersection with the east course of the Dubois, Idaho, radio range.

47. Section 601.1199 is added to read:

§ 601.1199 *Control area extension (Greensboro, N. C.)*. From the Greensboro, N. C., ILS localizer extending 5 miles either side of the localizer course to a point 30 miles northwest of the ILS localizer.

48. Section 601.1200 is added to read:

§ 601.1200 *Control area extension (Columbia, S. C.).* From the Columbia Airport extending 5 miles either side of the centerline of the northeast-southwest runway of Columbia Airport to a point 30 miles southwest of the airport.

49. Section 601.1201 is added to read:

§ 601.1201 *Control area extension (Saginaw, Mich.).* From the Saginaw, Mich., non-directional radio beacon extending 5 miles either side of a track 350° magnetic to a point 25 miles northwest of the non-directional radio beacon.

50. Section 601.1008 is amended to read:

§ 601.1008 *Control area extension (Savannah, Ga.).* From the Savannah, Ga., radio range station extending 5 miles either side of the southeast course of the Savannah radio range to a point 20 miles southeast of the range station, extending 5 miles either side of the southwest course of the radio range to a point 30 miles southwest of the radio range station, extending 5 miles either side of the northwest course of the radio range to a point 25 miles northwest of the radio range station, and within 5 miles either side of the centerline of the east-west runway of Travis Field, Savannah, Ga., from Amber civil airway No. 7 to a point 20 miles west of Travis Field, excluding the portion overlapping the Camp Stewart danger area.

51. Section 601.1983 is amended by adding the following airport: "Paso Robles, Calif.: San Luis Obispo County Airport".

52. Section 601.1984 is amended by deleting the following airport: "Covington, Ky.: Greater Cincinnati Airport", and by changing the name of the Chicago, Ill., "Orchard Place Airport" to read: "O'Hare International Airport".

53. Section 601.2028 *El Paso, Tex., control zone* is amended by changing the name of the airport from "Municipal Airport" to "El Paso International Airport."

54. Section 601.2086 is amended to read:

§ 601.2086 *Chicago, Ill., control zone.* Within a 6 mile radius of the Chicago-Midway Airport extending 2 miles either side of the northwest course of the Chicago radio range to its intersection with the northeast course of the Joliet, Ill., radio range, excluding the portion overlapping the O'Hare International Airport control zone; extending 2 miles either side of the southeast course of the Chicago radio range to its intersection with the east course of the Harvey, Ill., radio range, and extending 2 miles either side of the back course of the Chicago-Midway Airport ILS localizer to its intersection with the east course of the Harvey, Ill., radio range.

55. Section 601.2165 is amended to read:

§ 601.2165 *Savannah, Ga., control zone.* Within a 5 mile radius of Hunter AFB, Savannah, Ga., and within a 5 mile radius of Travis Field, Savannah, Ga., extending to include the area 2 miles either side of the northwest and southeast courses of the Savannah radio range to a point 10 miles southeast of the radio range station, and extending 2 miles either side of the southwest course of the radio range to the Richmond Hill fan marker.

56. Section 601.2271 is added to read:

§ 601.2271 *Saginaw, Mich., control zone.* Within a 5 mile radius of the Tri City Airport, Saginaw, Mich., extending 2 miles either side of a track 350° magnetic from the Saginaw non-directional radio beacon to a point 10 miles north of the non-directional radio beacon.

57. Section 601.2272 is added to read:

§ 601.2272 *Wake Island control zone.* Within a 5 mile radius of Wake Island Airport extending 2 miles either side of a bearing 90° magnetic from the Wake Island non-directional radio beacon to a point 10 miles east of the non-directional radio beacon.

58. Section 601.2273 is added to read:

§ 601.2273 *Cincinnati, Ohio, control zone.* Within a 5 mile radius of Greater Cincinnati Airport, Covington, Ky., extending 2 miles either side of the south course of the Cincinnati ILS localizer to its intersection with the southwest course of the Cincinnati radio range.

59. Section 601.4101 *Amber civil airway No. 1 (United States-Mexican Border to Nome, Alaska)* is amended by adding the following reporting point after the Fresno, Calif., radio range station: "Merced, Calif. (Castle) radio range station".

60. Section 601.4297 is added to read:

§ 601.4297 *Red civil airway No. 97 (Buffalo, N. Y., to New York, N. Y.).* No reporting point designation.

61. Section 601.4631 is amended by changing the caption to read: *"Blue civil airway No. 31 (Burlington, Iowa, to Madison, Wis.)."*

62. Section 601.4633 is amended by changing the caption to read: *"Blue civil airway No. 33 (Archbold, Ohio, to Saginaw, Mich.)."*

63. Section 601.4642 is amended by changing the caption to read: *"Blue civil airway No. 42 (Kokomo, Ind., to Saginaw, Mich.)."*

64. Section 601.4662 is amended by changing caption to read: *"Blue civil airway No. 62 (Ypsilanti, Mich., to Saginaw, Mich.)."*

65. Section 601.4666 is amended to read:

§ 601.4666 *Blue civil airway No. 66 (Bridgeport, Conn., to Poughkeepsie, N. Y.).* Bridgeport, Conn., radio range station.

66. Section 601.4671 is amended to read:

§ 601.4671 *Blue civil airway No. 71 (Toledo, Wash., to Seattle, Wash.).* Shelton, Wash., radio range station.

67. Section 601.4672 is amended to read:

§ 601.4672 *Blue civil airway No. 72 (Enid, Okla., to Wichita, Kans.).* Vance AFB radio range station.

68. Section 601.4675 is added to read:

§ 601.4675 *Blue civil airway No. 75 (Miami, Fla., to Tampa, Fla.).* The intersection of the northeast course of the Fort Myers, Fla., radio range with the southeast course of the Tampa, Fla., radio range.

69. Section 601.4676 is added to read:

§ 601.4676 *Blue civil airway No. 76 (Sinclair, Wyo., to Casper, Wyo.).* No reporting point designation.

70. Section 601.4677 is added to read:

§ 601.4677 *Blue civil airway No. 77 (Promontory Point, Utah, to Corinne, Utah).* No reporting point designation.

71. Section 601.4678 is added to read:

§ 601.4678 *Blue civil airway No. 78 (Promontory Point, Utah, to Malad City, Idaho).* Ne reporting point designation.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. November 28, 1950.

[SEAL] LEONARD W. JURDEN,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 50-10696; Filed, Nov. 27, 1950; 8:45 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 309]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 305]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

NEW JERSEY, PENNSYLVANIA, WEST VIRGINIA AND PUERTO RICO

Amendment 309 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 305 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92).

In Schedule C of said Rent Regulations, the description of localities affected by declarations for continuance of rent control after December 31, 1950 is amended with respect to certain Defense-Rental Areas to read as follows:

1. (191) Trenton, New Jersey, Defense-Rental Area:

In Mercer County, the City of Trenton, the Townships of Ewing and Hamilton, and all unincorporated localities; in Hunterdon County, all unincorporated localities; and in Warren County (exclusive of the Townships of Pahaquarry, Hardwick and Frelinghausen), the Town of Hackettstown and all unincorporated localities.

This adds to Schedule C the Town of Hackettstown, New Jersey, as of October 25, 1950.

2. (262) Harrisburg, Pennsylvania, Defense-Rental Area:

In Dauphin County, the Boroughs of Lykens and Middletown.

This adds to Schedule C the Borough of Lykens, Pennsylvania, as of October 9, 1950.

3. (266) Philadelphia, Pennsylvania, Defense-Rental Area:

In Bucks County, all unincorporated localities; in Chester County, all unincorporated localities; in Delaware County (exclusive of the Borough of Swarthmore), the Borough of Millbourne and all unincorporated localities, including Upper Darby Township; in Montgomery County, the Boroughs of Conshohocken and Pottstown and all unincorporated localities; and the County and City of Philadelphia.

This adds to Schedule C the Borough of Millbourne, Pennsylvania, as of November 8, 1950.

4. (267) Pittsburgh, Pennsylvania, Defense-Rental Area:

In Allegheny County, the Cities of Clairton, Duquesne and McKeesport, the Boroughs of Braddock, Braddock Hills, Bridgeville, Carnegie, Dravosburg, East McKeesport, East Pittsburgh, Eden Park, Glassport, Homestead, Liberty, McKees Rocks, Millvale, Munhall, North Braddock, Pitcairn, Rankin, Sharpsburg, Swissvale, Turtle Creek, Versailles, Wall, West Homestead and West Mifflin and the Townships of Reserve and West Deer; in Beaver County, the City of Beaver Falls and the Boroughs of Aliquippa, Ambridge, Baden, Bridgewater, Midland and Monaca; in Fayette County, the Boroughs of Belle Vernon and Masontown; in Washington County, the Boroughs of Bentleyville, Burgettstown, Cannonsburg, Donora, New Eagle, North Charleroi and West Brownsville, and the Township of North Strabane; and in Westmoreland County, the Cities of Arnold, Jeanette, Monessen and New Kensington, and the Boroughs of East Vandergrift, Export and Manor.

This adds to Schedule C the following localities in the State of Pennsylvania:

(1) Borough of Burgettstown, as of October 2, 1950.
(2) Boroughs of Bridgeville and West Mifflin, as of October 3, 1950.
(3) Borough of Millvale, as of October 10, 1950.
(4) Borough of Swissvale, as of October 11, 1950.
(5) Borough of Eden Park, as of October 12, 1950.
(6) Borough of Baden, as of October 16, 1950.
(7) Borough of Rankin, as of October 19, 1950.
(8) Borough of Midland, as of October 25, 1950.
(9) Borough of Turtle Creek, as of November 6, 1950.

5. (270) Sharon-Farrell, Pennsylvania, Defense-Rental Area:

In Mercer County, the Cities of Farrell and Sharon, the Borough of Stoneboro, and all unincorporated localities.

This adds to Schedule C (1) the City of Farrell, Pennsylvania, as of October 18, 1950, (2) the Borough of Stoneboro, Pennsylvania, as of November 9, 1950; and (3) all unincorporated localities in the Defense-Rental Area, as of November 9, 1950, by virtue of declarations made by incorporated localities constituting the major portion of the Defense-Rental Area.

6. (354b) Bluefield, West Virginia, Defense-Rental Area:

In McDowell County, the Towns of Davy and Northfork; and in Raleigh County, the Towns of Mabscott and Sophia.

This adds to Schedule C the Town of Norfolk, West Virginia, as of October 9, 1950.

7. (371) Puerto Rico Defense-Rental Area:

In Puerto Rico, all unincorporated localities and the Municipalities of Adjuntas, Aguada, Aguadilla, Aguas Buenas, Aibonito, Arecibo, Barceloneta, Barranquitas, Cabo Rojo, Caguas, Camuy, Carolina, Catano, Cayey, Cidra, Coamo, Comerio, Corozal, Fajardo, Guayama, Gueyanilla, Hatillo, Humacao, Isabella, Jayuya, Juana Diaz, Lajas, Las Marias, Loiza, Luquillo, Manati, Mayaguez, Moca, Naranjito, Ponce, Quebradillas, Rincon, Rio Piedras, Sabana Grande, Salinas, San German, San Juan, San Lorenza, San Sebastian, Santa Isabel, Toa Alta, Toa Baja, Trujillo Alto, Utuado, Vega Baja, Vieques and Villalba.

This adds to Schedule C the Municipality of Barceloneta, Puerto Rico, as of October 27, 1950.

All the foregoing additions to Schedule C are based on declarations made on the dates specified above in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

This amendment shall be effective with respect to each locality covered thereby as of the date on which the declaration affecting that locality was made.

Issued this 22d day of November 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-10721; Filed, Nov. 27, 1950; 8:49 a. m.]

[Controlled Housing Rent Reg., Amdt. 310]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 306]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

MISSOURI

Amendment 310 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 306 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 172, is amended to describe the counties in the Defense-Rental Area as follows:

Laclede and Pulaski Counties; and in Phelps County, the City of Rolla.

This recontrols Laclede and Pulaski Counties, Missouri, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area, which counties were heretofore decontrolled as follows: Pulaski County, as of September 7, 1949, and Laclede County, as of September 23, 1949.

2. A new item is hereby incorporated in Schedule B to read as follows:

75. Provisions relating to Laclede and Pulaski Counties, Missouri, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area.

Recontrol of Laclede and Pulaski Counties, Missouri, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area. Effective November 22, 1950, the provisions of §§ 825.1 to 825.12 and 825.81 to 825.92 shall apply to housing accommodations in Laclede and Pulaski Counties, Missouri, a portion of the Rolla-Waynesville, Missouri, Defense-Rental Area (said Laclede County having been heretofore decontrolled as of September 23, 1949, and said Pulaski County having been heretofore decontrolled as of September 7, 1949), except as modified by the following provisions:

a. All orders in effect on September 23, 1949, with respect to housing accommodations in Laclede County, in accordance with §§ 825.1 to 825.12 or 825.81 to 825.92, shall be in full force and effect; and all orders in effect on September 7, 1949, with respect to housing accommodations in Pulaski County, in accordance with §§ 825.1 to 825.12 or §§ 825.81 to 825.92, shall be in full force and effect.

b. If, on November 22, 1950, there was a ground for adjustment under § 825.5 (a) or § 825.85 (a) for which no order had previously been issued, and a petition for adjustment is filed on or before December 22, 1950, the adjustment shall be effective as of November 22, 1950.

c. If, on November 22, 1950, the services provided with any housing accommodations are less than the minimum required by § 825.3 or § 825.83, the landlord shall either restore and maintain such minimum services or file a petition on or before December 22, 1950 requesting approval of the decreased services. If, on November 22, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by § 825.3 or § 825.83, the landlord shall file, on or before December 22, 1950, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c", the provisions of §§ 825.5 (b) and 825.85 (b) shall be applicable to all such cases.

d. In the case of any action which, on November 22, 1950, was required or authorized by §§ 825.1 to 825.12 or 825.81 to 825.92 to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from November 22, 1950.

e. The provisions of §§ 825.6 and 825.86 shall not apply to any case in which judgment was entered prior to November 22, 1950 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

This amendment shall become effective November 22, 1950.

Issued this 22d day of November 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-10724; Filed, Nov. 27, 1950; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 689]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF THE ALASKA RAILROAD FOR EXPLOSIVES STORAGE PURPOSES; REVOKING PUBLIC LAND ORDER NO. 582; REVOKING IN PART PUBLIC LAND ORDER NO. 95 AND EXECUTIVE ORDER NO. 8755

By virtue of the authority vested in the President and pursuant to Executive

Order No. 9337 of April 24, 1943, it is ordered as follows:

1. Subject to valid existing rights and existing withdrawals for power purposes, the following-described public lands are hereby withdrawn from all forms of appropriations under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of The Alaska Railroad, Department of the Interior, for the storage of explosives:

SEWARD MERIDIAN

T. 15 N., R. 2 W.,
Sec. 25, SW¼;
Sec. 26, S½;
Sec. 35;
Sec. 36, W½.

The areas described aggregate 1440 acres.

2. Executive Order No. 8755 of May 16, 1941, and Public Land Order No. 95 of March 12, 1943, withdrawing public lands for use of the War Department, are hereby revoked so far as they affect any of the above-described lands.

3. Public Land Order No. 582 of April 11, 1949, reserving the following-described lands for the use of The Alaska Railroad for the storage of explosives, is hereby revoked:

SEWARD MERIDIAN

T. 15 N., R. 1 W., partly unsurveyed;
Sec. 17, W½;
Sec. 18;
Sec. 19, lots 1, 2, E½NW¼, NE¼;
Sec. 20, NW¼.

The areas described aggregate 1399 acres.

The lands last above-described shall not become subject to the initiation of any rights or to any disposition under the public-land laws until it is so provided by an order of classification to be issued by the Regional Administrator, Bureau of Land Management, Anchorage, Alaska, opening the lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended, with a ninety-day preference right period for filing such applications by veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284), as amended.

OSCAR L. CHAPMAN,
Secretary of the Interior.

NOVEMBER 20, 1950.

[F. R. Doc. 50-10698; Filed, Nov. 27, 1950; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PARTS 71–77—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Subchapter B—Carriers by Motor Vehicle

PART 197—TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES BY MOTOR VEHICLE

MOTOR CARRIERS SAFETY REGULATIONS, REVISED

In the matter of regulations governing the transportation of explosives and other dangerous articles by motor vehicle, ex parte No. MC–13; in the matter of regulations for transportation of explosives and other dangerous articles, No. 3666; in the matter of need for establishing reasonable requirements to promote safety of operation of motor vehicles used in transporting property by private carriers, ex parte No. MC–3.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of November A. D. 1950.

It appearing, that an order herein on December 31, 1943 (49 CFR, 1944 Suppl., § 197.01), amended a prior order of April 20, 1943 (49 CFR, Cum. Supp., Parts 71–85 and § 197.01), by modifying the applicability rule, § 197.01 covering the transportation of explosives and other dangerous articles in interstate, foreign, and intrastate commerce, by common, contract and private carriers, and by granting certain exemptions thereto applicable to private carriers because of allocation of insufficient steel sheets for cargo tanks, both for new construction and for maintenance; and

It further appearing, that the effectiveness of the order of December 31, 1943, was further extended to December 31, 1950 (15 F. R. 94), for reason stated therein; and

It further appearing that consideration is now being given to the adoption as permanent some of the requirements of these orders, and amendment of certain other parts of regulations affecting such carriers. Pending study of these matters the Commission is of the opinion that a continuation of this order is necessary that the order of December 31, 1943, be further extended:

It is ordered, That pursuant to the authority of section 835 of Title 18, U. S. C. (62 Stat. 738–739), so far as common carriers by motor vehicle are concerned and section 204 of the Interstate Commerce Act (49 Stat. 546, 54 Stat. 921; 49 U. S. C. 304), as far as private carriers of property by motor vehicles and contract carriers by motor vehicles are concerned, the effectiveness of said order of December 31, 1943, is hereby extended until further order of the Commission; and

It is further ordered, That this order shall be effective on and after December 31, 1950, and that notice hereof shall be given to motor carriers and the general public by depositing a copy in the office of the Secretary of the Commission in Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(49 Stat. 546, as amended, sec. 835, 62 Stat. 739; 49 U. S. C. 304, 18 U. S. C. Sup., 835)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-10719; Filed, Nov. 27, 1950; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR, Part 151]

RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

DOGS

Notice is hereby given that the Secretary of Agriculture, pursuant to the authority vested in him by section 201, Paragraph 1606 of the Tariff Act of 1930, as amended (19 U. S. C., and Supp. III, sec. 1201, par. 1606), proposes to withdraw recognition of the book of record for various breeds of dogs entitled "Livre des Origines Français" published by the Société Centrale Canine pour l'Amélioration des Races de Chiens en France, 3 Rue de Choiseul, Paris, France (A. Bordereau, Director General), and to amend the regulations governing the recognition of breeds and books of record of purebred animals by removing the name of the stud book from the list of books of record named in 9 CFR 151.10 (a) (14 F. R. 159), as amended, under the subheading "Dogs."

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Chief of the Bureau of Animal Industry, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within thirty days after the date of publication of this notice in the FEDERAL REGISTER.

(Sec. 201, Par. 1606, 45 Stat. 673, as amended, 62 Stat. 161; 19 U. S. C. and Supp. III, 1201, Par. 1606)

Done at Washington, D. C., this 21st day of November 1950.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-10709; Filed, Nov. 27, 1950; 8:48 a. m.]

[9 CFR, Part 151]

RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

GOATS

Notice is hereby given that the Secretary of Agriculture, pursuant to the authority vested in him by Section 201, Paragraph 1606 of the Tariff Act of 1930, as amended (19 U. S. C. and Supp. III, sec. 1201, par. 1606), proposes to recog-

nize the Alpine Section of the book of record entitled "The Canadian National Record for Goats", published under the auspices of the Canadian National Live Stock Records, Ottawa, Canada, (R. G. T. Hitchman, Director), and to amend the regulations governing the recognition of breeds and books of record of purebred animals (9 CFR, Part 151, as amended) by adding the name "Alpine" to the breeds listed under the subheading of goats in 9 CFR 151.10 (b) (1), (14 F. R. 161), as amended. The said regulations would further be amended to provide that the certification of goats registered in said Alpine Section shall be restricted to animals for which pedigree certificates are furnished showing 3 complete generations of known and recorded ancestors of Alpine breeding.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Chief of the Bureau of Animal Industry, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within ten days after the date of publication of this notice in the FEDERAL REGISTER.

(Sec. 201, Par. 1606, 46 Stat. 673 as amended by 62 Stat. 161; 19 U. S. C. and Supp. III, 1201, par. 1606)

Done at Washington, D. C., this 21st day of November 1950.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-10710; Filed, Nov. 27, 1950; 8:48 a. m.]

Production and Marketing Administration

POSTING OF STOCKYARD

NOTICE OF PROPOSED RULE MAKING

The Secretary of Agriculture has information that the stockyard known as the Wheatland Livestock Auction Company, Wheatland, Wyoming, is a stockyard as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 202), and should be made subject to the provisions of that act.

Therefore, notice is hereby given that the Secretary of Agriculture proposes to issue a rule designating the stockyard named above as a posted stockyard subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), as is provided in section 302 of that act. Any interested person who desires to do so may submit within 15 days of the publication of this notice any data, views or argument, in writing, on the proposed rule to the Director, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

Done at Washington, D. C., this 22d day of November 1950.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 50-10761; Filed, Nov. 27, 1950; 8:53 a. m.]

[7 CFR, Part 953]

HANDLING OF LEMONS GROWN IN CALIFORNIA OR ARIZONA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1950-51 FISCAL YEAR

Consideration is being given to the following proposals submitted by the Lemon Administrative Committee, established pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, as the agency to administer the terms and provisions thereof: (1) That the Secretary of Agriculture find that expenses not to exceed $120,000.00 will be necessarily incurred during the fiscal year ending October 31, 1951, for the maintenance and functioning of the committee established under the aforesaid amended marketing agreement and order, and (2) that the Secretary of Agriculture fix, as the pro rata share of such expenses which each handler who first handles lemons shall pay in accordance with the aforesaid amended marketing agreement and order during the aforesaid fiscal year, the rate of assessment at $0.015 per packed box of lemons, or an equivalent quantity of lemons, handled by him as the first handler thereof during said fiscal year.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Room 2077, South Building, Washington 25, D. C., not later than the close of business on the 10th day after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

Terms used herein shall have the same meaning an when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued this 22nd day of November 1950.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 50-10760; Filed, Nov. 27, 1950; 8:53 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR, Parts 29, 30]

[Docket No. FDC-10 (a)]

FRUIT PRESERVES, FRUIT JELLIES, AND FRUIT BUTTERS

NOTICE OF HEARING TO AMEND DEFINITIONS AND STANDARDS OF IDENTITY

In the matter of amending the definitions and standards of identity for fruit preserves, fruit jellies, and fruit butters:

Notice is hereby given that the Federal Security Administrator, upon application of the National Preservers Association, representing a substantial portion of the interested industry, in accordance with sections 401 and 701 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1046, 1055; 21 U. S. C. 341, 371), will hold a public hearing commencing at 10:00 o'clock in the morning of January 2, 1951, in room 5439, Federal Security Building, Independence Avenue and Fourth Street SW., Washington, D. C., for the purpose of receiving evidence upon proposals to amend the regulations fixing and establishing definitions and standards of identity for fruit preserves, fruit jellies, and fruit butters (21 CFR 29.0, 29.5, 30.0).

At the hearing, evidence will be restricted to testimony and exhibits relevant and material to such proposals. The hearing will be conducted in accordance with the rules of practice provided therefor. Mr. Bernard D. Levinson is hereby designated as presiding officer to conduct the hearing in place of the Administrator, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing. The presiding officer is required to certify the entire record of the proceeding to the Administrator for initial decision.

The amendments proposed by the National Preservers Association are set forth below and will be considered at the hearing. The proposed amendments are subject to adoption, rejection, or modification by the Federal Security Administrator, in whole or in part, as the evidence adduced at the hearing may require.

1. Section 29.0 *Preserves, jams; identity; label statement of optional ingredients,* is proposed that this section be amended:

a. By deleting from § 29.0 (d) (4) the words "corn sugar or".

b. By deleting § 29.0 (d) (5) and substituting therefor a new subparagraph, as follows:

(5) Any combination of corn sirup, glucose sirup, corn sirup solids, or any two or more of the foregoing with optional saccharine ingredient (1), (2), (3), or (4) in which the weight of the solids of corn sirup or glucose sirup or both does not exceed one-fourth of the total weight of the solids of the combined saccharine ingredients.

c. By deleting § 29.0 (e) (4) and substituting therefor a new subparagraph, as follows:

(4) The term "corn sirup" means a clarified, concentrated aqueous solution of the products obtained by incomplete hydrolysis of cornstarch. The solids of corn sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. The term "corn sirup solids" means dried corn sirup. The term "glucose sirup" means a sirup which conforms to the definition in this subparagraph for corn sirup, except that it is made from any edible starch.

d. By deleting from § 29.0 (g) (3) the words "(d) (5) or".

2. Section 29.5 *Fruit jelly; identity; label statement of optional ingredients,*

is proposed that this section be amended:

a. By deleting from § 29.5 (d) (4) the words "corn sugar or".

b. By deleting § 29.5 (d) (5) and substituting therefor a new subparagraph, as follows:

(5) Any combination of corn sirup, glucose sirup, corn sirup solids, or any two or more of the foregoing with optional saccharine ingredient (1), (2), (3), or (4) in which the weight of the solids of corn sirup or glucose sirup or both does not exceed one-fourth of the total weight of the solids of the combined saccharine ingredients.

c. By deleting § 29.5 (e) (4) and substituting therefor a new subparagraph, as follows:

(4) The term "corn sirup" means a clarified, concentrated aqueous solution of the products obtained by the incomplete hydrolysis of cornstarch. The solids of corn sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. The term "corn sirup solids" means dried corn sirup. The term "glucose sirup" means a sirup which conforms to the definition in this subparagraph for corn sirup, except that it is made from any edible starch.

d. By deleting from § 29.5 (g) (4) the words "(5) or".

3. Section 30.0 *Fruit butters; identity; label statement of optional ingredients,* is proposed that this section be amended:

a. By changing that part of § 30.0 (d) which follows subparagraph (5) thereof so that as changed it becomes:

(6) Any combination of two or more of optional saccharine ingredient (1), (2), (3), and (4).

(7) Any combination of dextrose and optional saccharine ingredients (1), (2), (3), (4), or (6).

(8) Any combination of corn sirup, glucose sirup, corn sirup solids, or any two or more of the foregoing with optional saccharine ingredient (1), (2), (3), (4), (6), or (7) in which the weight of the solids of corn sirup or glucose sirup or both does not exceed one-fourth of the total weight of the solids of the combined saccharine ingredients.

(9) Any combination of honey and optional saccharine ingredient (1), (2), (3), (4), (6), or (7), in which the weight of the solids of each component except honey is not less than one-tenth of the weight of the solids of such combination, and the weight of honey solids is not less than two-fifths of the weight of the solids of such combination.

b. By deleting § 30.0 (e) (5) and substituting therefor a new subparagraph, as follows:

(5) The term "corn sirup" means a clarified, concentrated aqueous solution of the products obtained by the incomplete hydrolysis of cornstarch. The solids of corn sirup contain not less than 40 percent by weight of reducing sugars calculated as anhydrous dextrose. The term "corn sirup solids" means dried corn sirup. The term "glucose sirup" means a sirup which conforms to the definition in this subparagraph for corn sirup, except that it is made from any edible starch.

c. By deleting § 30.0 (g) (4) and substituting therefor a new subparagraph, as follows:

(4) When optional saccharine ingredient (d) (5) of this section is used the label shall bear the statement "Prepared with Honey."

d. By deleting § 30.0 (g) (5) and substituting therefor a new subparagraph, as follows:

(5) When optional saccharine ingredient (d) (9) is used the label shall bear the names of the components of the combination whereby such components are designated in paragraph (d) of this section in the order of predominance, if any, of the weights of such components in the combination. Such name shall be preceded by the words "Prepared with."

Dated: November 20, 1950.

OSCAR R. EWING,
Administrator.

[F. R. Doc. 50-10703; Filed, Nov. 27, 1950; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER[1] WITHDRAWING PUBLIC LANDS FOR USE OF THE ALASKA RAILROAD FOR EXPLOSIVES STORAGE PURPOSES; REVOKING PUBLIC LAND ORDER NO. 582; REVOKING IN PART PUBLIC LAND ORDER NO. 95 AND EXECUTIVE ORDER NO. 8755

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

OSCAR L. CHAPMAN,
Secretary of the Interior.

NOVEMBER 20, 1950.

[F. R. Doc. 50-10699; Filed, Nov. 27, 1950; 8:45 a. m.]

[1] See PLO 689, Title 43, Chapter I, Appendix, *supra.*

NEW MEXICO

CLASSIFICATION ORDER

NOVEMBER 17, 1950.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as hereinafter indicated, the following described lands in the Santa Fe, New Mexico land district, embracing approximately 120 acres.

NEW MEXICO SMALL TRACT CLASSIFICATION ORDER NO. 29

For lease and sale for all purposes authorized by the Act of June 1, 1938:

T. 16 S., R. 5 W., N. M. P. M.
Sec. 14: S½NE¼NE¼, SE¼NE¼, E½W½NE¼, N½NE¼SE¼.

2. These lands are situated 2.2 miles south of the junction of U. S. Highway No. 85 and State Highway No. 180 (connecting U. S. 85 with Hillsboro and Silver City) and approximately 17.2 miles south of Truth or Consequences (formerly Hot Springs), New Mexico. U. S. 85 crosses the lands, thus rendering them readily accessible. The lands are rolling to fairly rough; the soil is sandy with a considerable admixture of clay and gravel and is not fertile. The altitude is approximately 4200 feet and the precipitation 10 inches per annum. Vegetation consists of creosote bush, mesquite and various species of cacti. Summers are long and hot, and winters short and mild. The mean annual temperature at the United States Weather Bureau Station at Elephant Butte Lake and dam 15 miles north of the lands is 60°. Temperatures range from 30° in December to 79° in July, on an average. Year-long boating and fishing is available at Caballo Lake, one-half mile from the land, and at Elephant Butte Lake, 15 miles to the north. Bird and waterfowl hunting is excellent in season. Potable water for domestic use is obtainable at depths of approximately 100 to 150 feet. Electric power transmission lines traverse the lands. Fuel, and sanitary disposal facilities must be supplied by the lessees.

Business, educational, religious, recreational and medical and hospital facilities are available at Truth or Consequences, 17 miles north, and at Hatch, 15 miles south of the lands.

3. As to applications regularly filed prior to 10:30 a. m. on November 13, 1950, and which are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

4. As to the land not covered by applications referred to in paragraph 3, this order shall not become effective to permit leasing under the Small Tract Act of June 1, 1938, as amended, until 10:00 a. m. on January 19, 1951. At that time such lands shall, subject to valid existing rights and the terms of existing withdrawals, become subject to application as follows:

(a) Ninety-one day preference period for qualified veterans of World War II, from 10:00 a. m. January 19, 1951 to close of business on April 17, 1951.

(b) Advance period for veterans' simultaneous filings from 10:30 a. m. on November 13, 1950 to 10:00 a. m. January 19, 1951.

5. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m. on April 18, 1951.

(a) Advance period for simultaneous non-preference right filings from 10:30 a. m. on November 13, 1950 to 10:00 a. m. on April 18, 1951.

6. Applications filed within the periods mentioned in 4 (b) and 5 (a) above will be treated as simultaneously filed.

7. A veteran shall accompany his application with a complete photostatic or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service, which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based, and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

8. All of the lands shall be leased in tracts of approximately 5 acres, each being approximately 660 feet long east and west and 330 feet wide north and south within a regular quarter-quarter-quarter section subdivision. This provision is included due to the fact that certain applications have been heretofore filed so as to describe tracts extending along or facing upon the highway for a distance of 660 feet, thus tending to monopolize desirable highway frontage. All applicants who have filed in such manner shall be allowed 30 days from date of receipt of notice to amend their applications so as to conform with the above requirements, failing in which their applications will be rejected, subject to the right of appeal.

9. Leases will be for a period of three years.

(a) Where applications are filed for homesites only, the annual rental of $5.00 will be payable for the entire lease period in advance of the issuance of the lease.

(b) Where applications are filed for business sites only, a minimum rental of $20.00 per annum shall be charged, payable for the first year in advance of the issuance of the lease, and payable for all succeeding years not later than 30 days in advance of the expiration of the preceding lease year, or the entire rental for the 3-year lease period may be paid in advance, at the option of the lessee.

(c) In any and all cases where applications are filed and leases issued for business sites only, the $20.00 business rental shall be the minimum rental for that purpose, and the lessee shall be obligated to pay additional rental at the rate fixed in the schedule of rentals in effect at the date of approval of his lease if the gross receipts from the business conducted on the leased tract shall exceed $2,000.00 per annum. Such lessees, or their authorized representatives, shall, within 60 days after the expiration of each lease year, submit to the Manager of the Land and Survey Office, Santa Fe, New Mexico, a statement of the amount of the gross receipts for the preceding lease year. Authorized representatives of the Department of the Interior shall at all times, within customary business hours, have the right to inspect and examine the lessee's accounts, and to inspect the premises leased.

10. Leases issued hereunder will contain an option to purchase clause at the appraised value of $50.00 per tract, application for which may be filed at or after the expiration of one year from the date of issuance of the lease, provided that improvements appropriate to the purpose for which the lease is issued and which meet with the approval of the Regional Administrator shall have been constructed upon the land prior to the filing of the application for purchase.

(a) Leases issued under the terms of this order shall not be subject to assignment unless and until improvements as mentioned above in this paragraph shall have been completed.

(b) Leases for lands upon which the improvements above mentioned shall not have been constructed at or before the expiration thereof shall not be renewed.

11. Lessees and/or their successors in interest shall comply with all Federal, State, County and municipal laws and ordinances, especially those governing health and sanitation, and failure or refusal to do so may be cause for cancellation of the lease in the discretion of the authorized official of the Bureau of Land Management.

12. Rights-of-way for road and street purposes are reserved as follows:

(a) Rights-of-way 33 feet in width are reserved from or near the edge of each 5-acre tract.

(b) The last mentioned rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to issuance of patent. If not so located, they may be subject to location after patent has been issued. The said last mentioned rights-of-way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or by any agency thereof.

13. All leases and patents issued shall contain a reservation to the United States of all fissionable material sources, and all minerals, together with the right to prospect for, mine and remove the same under applicable laws and regulations.

14. Survey of individual tracts shall be at the expense of the applicant.

15. All inquiries regarding these lands shall be addressed to the Manager, U. S. Land and Survey Office, Post Office Building, Santa Fe, New Mexico.

E. R. SMITH,
Regional Administrator.

[F. R. Doc. 50-10700; Filed, Nov. 27, 1950; 8:45 a. m.]

Bureau of Reclamation

[No. 31]

RIVERTON PROJECT, WYOMING

PUBLIC NOTICE OF ANNUAL RENTAL CHARGES

NOVEMBER 14, 1950.

1. *Water rental.* Irrigation water will be furnished upon a rental basis during the irrigation season of 1951, and thereafter until further notice to the irrigable lands described in Public Notice No. 28, for the North Pavillion area, and Public Notice No. 30, for the North Portal area, Riverton Project, Wyoming.

2. *Charges and terms of payment.* The minimum water rental charge shall be $1.50 per irrigable acre, whether water is used or not, except that such minimum charge need not be paid in any year for any acreage which the Riverton Project Superintendent certifies to be temporarily non-irrigable during such year due to seepage, land subsidence, shallow or impermeable soils, or excessive amounts of salts. Payment of the minimum water rental charge will entitle the water user to 2 acre-feet of water per irrigable acre. Additional water, if available, will be furnished during the irrigation season at the rate of $0.50 per acre-foot for the first acre-foot per irrigable acre and $0.75 per acre-foot for each additional acre-foot per irrigable acre thereafter. The minimum charge shall be payable in advance on January 1 of each year, and no water will be delivered until such charge is paid in full. The charge for additional water shall be payable on January 1 for water delivered during the preceding year.

3. *Water for other lands.* Irrigation water, when available, will also be furnished at the rates described in paragraph 2, to other lands in the North Pavillion and North Portal areas upon the filing each year of a temporary water rental application covering such other lands. The approval of a water rental

application for these lands shall not be deemed to constitute an action leading to a continuing right to receive water in subsequent years.

4. *Discounts and penalties.* If payment of the minimum charge is made on or before January 1, a discount of 5 percent of such charge will be allowed. If payment of the charge for additional water is made on or before January 1 of the year in which used, a discount of 5 percent of such charge will be allowed. If payment of the minimum charge is not made on April 1 of each year, and if payment for additional water furnished to any lands is not made on April 1, subsequent to the year in which such additional water is delivered, there shall be added on the following day a penalty of one-half of one percent of the amount unpaid on the first day of each calendar month thereafter so long as such default shall continue, and no water will be delivered until all charges and penalties have been paid in full.

5. *Place of payment.* Payment of water rental charges shall be made at the Reclamation Office in Riverton, Wyoming, or mailed to the Bureau of Reclamation, Riverton, Wyoming.

6. *Public Notices Nos. 28 and 30, supplemented.* This notice supplements sub-paragraphs 24 (b) and 24 (c) of Public Notice No. 28, and sub-paragraphs 25 (b) and 25 (c) of Public Notice No. 30, Riverton Project.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

K. F. VERNON,
Regional Director.

[F. R. Doc. 50-10701; Filed, Nov. 27, 1950; 8:46 a. m.]

[Public Announcement No. 4]

COLUMBIA BASIN PROJECT, WASHINGTON, EAST COLUMBIA BASIN IRRIGATION DISTRICT

PUBLIC ANNOUNCEMENT OF THE SALE OF FULL-TIME FARM UNITS

OCTOBER 24, 1950.

Lands Covered

SECTION 1. *Offer of farm units for sale.* It is hereby announced that certain farm units in the East Columbia Basin Irrigation District, Columbia Basin Project, Washington, will be sold to qualified applicants in accordance with the provisions of this announcement. Applications to purchase farm units may be made beginning at 2:00 p. m., November 24, 1950.

The farm units owned by the United States to which this announcement pertains are described as follows:

FARM UNITS OWNED AS A WHOLE BY THE UNITED STATES, IRRIGATION BLOCK 40, GRANT COUNTY, WASH.

Farm unit No.	Total acreage	Irrigable acreage	Acreage by land class			Nonirrigable	Price
			1	2	3		
11	81.37	75.49	----------	25.76	49.73	5.88	$486.59
13	136.73	109.83	----------	----------	109.83	26.90	552.36
20	132.52	111.71	----------	----------	111.71	20.81	541.60
22	219.72	113.42	----------	----------	113.42	106.30	823.99
23	200.98	121.53	----------	17.64	103.89	79.45	718.66
24	161.04	117.32	----------	20.16	97.16	43.72	728.09
25	84.71	80.81	----------	57.36	23.45	3.90	523.20
29	142.56	113.13	----------	14.96	98.17	29.43	667.35
30	142.34	85.77	----------	----------	85.77	56.57	570.97
31	83.63	57.99	----------	18.14	39.85	25.64	381.69
32	70.63	63.83	----------	29.00	34.83	6.80	388.74
42	121.16	74.41	12.30	43.91	18.20	46.75	624.67
43	67.37	58.73	3.74	47.08	7.91	8.64	413.88
44	64.80	62.84	13.24	39.23	10.37	1.96	454.20
49	85.15	63.93	30.71	26.70	6.52	21.22	550.66
59	71.71	66.24	18.11	45.78	2.35	5.47	510.38
60	75.90	68.58	10.12	51.27	7.19	7.32	503.09
61	167.70	59.39	17.26	29.82	12.31	108.31	688.16
62	197.54	49.03	33.62	8.29	7.12	148.51	769.91
71	142.84	93.10	----------	36.09	57.01	49.74	605.98
72	183.54	85.38	----------	64.82	20.56	98.16	747.78
73	141.89	62.66	----------	7.77	54.89	79.23	493.99
82	83.22	77.50	3.64	67.56	6.30	5.72	620.61
113	199.63	89.65	----------	57.91	31.74	109.98	858.59
114	121.91	82.57	----------	41.81	40.76	39.34	609.52
131	125.31	119.38	----------	77.37	42.01	5.93	858.11
156	80.98	76.25	14.28	49.00	12.97	4.73	565.60
157	80.84	72.92	----------	47.35	25.57	7.92	491.40
158	162.68	125.22	----------	47.47	77.75	37.46	820.86

FARM UNIT OWNED BY THE UNITED STATES AND NORTHERN PACIFIC RAILWAY CO., IRRIGATION BLOCK 40, GRANT COUNTY, WASH.

Farm Unit No.	Total Acreage		Irrigable Acreage	Acreage by land class			Nonirrigable	Price	
	U. S.	N. P. Ry.		1	2	3		U. S.	N. P. Ry.
141	58.43	25.47	66.64	----------	52.67	13.97	17.26	$344.41	$163.82

The official plat of the block is on file in the office of the County Auditor, Grant County, Ephrata, Washington, and copies are on file in the offices of the Bureau of Reclamation at Coulee Dam and Ephrata, Washington, and the regional office at Boise, Idaho.

SEC. 2. *Limit of acreage which may be purchased.* The lands covered by this announcement have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Regional Director, Region 1, Bureau of Reclamation, will support an average-size family at a suitable level of living. The law provides that with certain minor exceptions not more than one farm unit in the entire project may be held by any one owner or family. A family is defined as comprising husband and wife, or both, together with their children under 18 years of age, or all of such children if both parents are dead.

Preference Right of Veterans of World War II

SEC. 3. *Nature of preference.* A preference right to purchase the farm units described above will be given to veterans of World War II (and in some cases to their husbands or wives or guardians of minor children) who submit applications during a 45-day period beginning at 2:00 p. m., November 24, 1950, and ending at 2:00 p. m., January 8, 1951, and who at the time of making application are in one of the following five classes:

a. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, or Coast Guard of the United States for a period of at least ninety (90) days at any time on or after September 16, 1940, and prior to the termination of World War II, and have been honorably discharged.

b. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, or Coast Guard during the period prescribed in subsection a of this section, regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty, or subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the government on account of such wounds or disability.

c. The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See subsection 9. c. of this announcement regarding the provision that a married woman must be head of a family.)

d. The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person by guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

e. The surviving spouse of any person whose death has resulted from wounds received or disability incurred in the line of duty while serving in the Army, Navy, Marine Corps, or Coast Guard during the period described in subsection a. of this section, or in the case of death or marriage of such spouse, the minor child or children of such person by a guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

SEC. 4. *Definition of honorable discharge.* An honorable discharge means:

a. Separation from the service by means of an honorable discharge or by

the acceptance of resignation or a discharge under honorable conditions.

b. Release from active duty under honorable conditions to an inactive status, whether or not in a reserve component, or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans preference even though such person thereafter resumes active military duty.

SEC. 5. *Submission of proof of veterans status.* All applicants for farm units who claim veterans preference must attach to their applications a complete photostatic or other copy (both sides) of their certificates of honorable discharge, or of an official document of the respective branch of the service which shows clearly an honorable discharge, as defined in section 4 of this announcement, or constitutes evidence of other facts on which the claim for preference is based, and which clearly shows the period of service.

If preference is claimed by a surviving spouse or on behalf of the minor child or children of a deceased veteran, proof of the relationship asserted and of the veteran's service and death must be attached to the application. If the preference is claimed by the spouse of a living veteran, proof of such relationship and of the veteran's service and written consent to the exercise of the preference right must be attached to the application.

Qualifications Required of Purchasers

SEC. 6. *Examining board.* An Examining board of three members has been appointed by the Regional Director, Region 1, Bureau of Reclamation, to determine the qualification and fitness of applicants to undertake the purchase, development, and operation of a farm on the Columbia Basin Project. The board will make careful investigations to verify the statements and representations made by applicants. Any false statements may constitute grounds for rejection of an application, and cancellation of the applicant's right to purchase a farm unit.

SEC. 7. *Minimum qualifications.* Certain minimum qualifications have been established which are considered necessary for the successful development of farm units. Applicants must meet these qualifications in order to be eligible for the purchase of farm units. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No added credit will be given for qualifications in excess of the required minimum. The minimum qualifications are as follows:

a. *Character and industry.* An applicant must be possessed of honesty, temperate habits, thrift, industry, seriousness of purpose, record of good moral conduct, and a bona fide intent to engage in farming as an occupation.

b. *Farm experience.* Except as otherwise provided in this subsection, an applicant must have had a minimum of two years (24 months) full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board, will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of full-time farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attending school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a non-irrigated farm, but all applicants must have had farm experience of such nature, as in the judgment of the examining board will qualify the applicant to undertake the development and operation of an irrigated farm by modern methods.

c. *Health.* An applicant must be in such physical condition as will enable him to engage in normal farm labor.

d. *Capital.* An applicant must possess assets worth at least $4,000 in excess of liabilities. Assets must consist of cash, property readily convertible into cash or property such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at more than $500 or a passenger car at more than $500. If the applicant proposes to convert items into cash, total cash value should be shown with a full explanation, in section 11 of the application blank.

An applicant shall furnish in section 9 of the farm application blank a financial statement listing all of his assets and all of his liabilities. Assets not useful in the development of a farm will be considered if the applicant furnishes, at the board's request, evidence of the value of the property and proof of its conversion into useful form before execution of a purchase contract.

SEC. 8. *References.* An applicant shall list in section 12 of the farm application blank the names, occupations, positions, or titles, and complete, current addresses of five persons who are qualified and willing to give their frank opinions as to the applicant's personal qualifications and farm experience. Persons named as references must be responsible citizens who are permanent residents in their communities.

At least one of these five persons must be an agricultural leader who now holds one or more of the following positions: County Agent; Farmers Home Administration County Supervisor; Production and Marketing Administration County Committeeman; Soil Conservationist; Vocational Agricultural Teacher; Manager or Agricultural Representative of an agricultural marketing or processing association or institution; loan officer or agricultural representative of a credit agency or institution in an agricultural community, or an officer of any recognized farm organization.

The other four persons named as references must be agricultural leaders or successful farmers who own or operate their own farms and are well known in the community where the farm experience was acquired.

Persons in occupations other than those listed in this subsection and relatives of the applicant are not acceptable.

SEC. 9. *Principal qualifications required.* Each applicant (except guardians) must meet the following requirements:

a. Be a citizen of the United States or have declared an intention to become a citizen of the United States.

b. Not own outright, or control under a contract to purchase, more than ten acres of crop land or a total of 160 acres of land at the time of execution of a purchase contract for a farm unit.

c. If a married woman, or a person under 21 years of age who is not eligible for veterans preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or a minor child who is obliged to assume major responsibility for the support of a family may be the head of a family.

Where and How to Apply for a Farm Unit

SEC. 10. *Application blanks.* Any person desiring to purchase a farm unit offered for sale by this announcement must fill out the attached farm application blank. Additional application blanks may be obtained from the offices of the Bureau of Reclamation at Ephrata, Washington; Post Office Box 937, Boise, Idaho, or Washington, D. C. Full and frank answers must be made to each question on the farm application blank.

SEC. 11. *The filing of application and proof of veterans status.* An application for the purchase of a farm unit offered by this announcement must be filed with the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, in person or by mail. No advantage will accrue to an applicant who presents an application in person. Every application must be accompanied by proof of veterans status if veterans preference is claimed (See section 5 of this announcement).

SEC. 12. *Applications become Bureau records.* Each application submitted, including corroborating evidence, will become a part of the permanent records of the Bureau of Reclamation and cannot be returned to the applicant. For this reason, original discharge or citizenship papers should not be submitted.

SEC. 13. *Importance of complete applications.* It shall be the sole responsibility of an applicant to submit a complete application, including the corroborating evidence required by this announcement. Failure of an applicant to provide complete answers to all questions in the farm application blank, or

failure to provide all other information required by this announcement, will subject an application to rejection.

Selection of Qualified Applicants

SEC. 14. *Priority of applications.* All applications will be classified for priority purposes and considered in the following order:

a. *First priority group.* All complete applications filed prior to 2:00 p. m., January 8, 1951, which are accompanied by proof sufficient, in the opinion of the examining board, to establish eligibility for veterans preference. All such applications will be treated as simultaneously filed.

b. *Second priority group.* All complete applications filed prior to 2:00 p. m., January 8, 1951, by applicants who do not claim veterans' preference or which are not accompanied by proof sufficient, in the opinion of the examining board, to establish eligibility for veterans' preference. All such applications will be treated as simultaneously filed.

c. *Third group.* All complete applications filed after 2:00 p. m., January 8, 1951, whether or not accompanied by proof of veterans' preference. Such applications will be considered in the order in which they are filed if any farm units are available for sale to applicants within this group.

SEC. 15. *Preliminary examination to determine first priority group, right of appeal.* Each application will be examined for the purpose of ascertaining (a) that the application is complete, and (b) that the applicant's right to veterans' preference has been fully established. Any incomplete application will be rejected. Any applicant without veterans' preference, or any applicant claiming veterans' preference but failing to establish proof of qualification for such preference shall be placed in the Second Priority Group, if the application was filed before 2:00 p. m., January 8, 1951.

In case of rejection or placement in the Second Priority Group, the applicant shall be notified by the board by registered mail, with return receipt requested, of such rejection or placement; the reasons therefor, and of the right to appeal in writing to the Regional Director, Region 1, Bureau of Reclamation. All appeals must be received in the office of the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, within 15 days of the applicant's receipt of such notice, or in any event, within 30 days from the date when the notice is mailed to the last address furnished by the applicant. The Land Settlement Section will forward the appeal promptly to the Regional Director. If an appeal is decided by the Regional Director in favor of the applicant, the application will be referred to the board for inclusion in the drawing. All decisions on appeals will be based exclusively on information obtained prior to rejection of applications or placement in the Second Priority Group. The Regional Director's decision on all appeals shall be final.

SEC. 16. *Public drawing.* After the expiration of the appeal periods fixed by the above-mentioned notices and after decision on all appeals the board will conduct a public drawing of the names of the applicants remaining in the First Priority Group as defined in subsection 14. a. of this announcement. Applicants need not be present at the drawing to participate therein. The names of a sufficient number of applicants (not less than three times the number of farm units to be offered for sale) shall be drawn and numbered consecutively in the order drawn for the purpose of establishing the order in which the applications drawn will be further examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this announcement, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the board shall notify each applicant of his respective standing as a result of the drawing.

SEC. 17. *Submission of corroborating evidence.* After the drawing the board shall examine applications in the order drawn. If the examination of the farm application blank submitted by an applicant indicates that the applicant is not qualified, the application shall be rejected and the applicant shall be notified by the board, by registered mail, of such rejection and the reasons therefor and of the right to appeal to the Regional Director within the time and in the manner prescribed in section 15 of this announcement. If an application indicates that the applicant may qualify, such applicant shall be notified by registered mail, with return receipt requested, to submit the information indicated in items a. through e. below.

a. A statement from an officer of a bank or other responsible and reputable credit agency, or other proof satisfactory to the board corroborating his statement of net worth. (See subsection 7 d. of this announcement.)

b. References, on forms to be provided, from at least three of the five persons listed in section 12 of the application blank. The applicant shall be responsible for seeing that the reference forms are completed and mailed to the board by the persons completing them. At least one of these statements must be from an agricultural leader as defined in section 8 of this announcement. Each of the others must be from an agricultural leader or a successful farmer.

c. In case the applicant is physically disabled or afflicted with any condition which makes his ability to perform normal farm labor questionable, a detailed statement of an examining physician which defines the limitation upon such ability and its causes.

d. If the applicant is not native-born, evidence of citizenship or of declared intention to become a citizen. (See subsection 9. a. of this announcement.)

e. If the applicant is a married woman or a nonveteran under 21 years of age, evidence of status as head of a family. (See subsection 9. c. of this announcement.)

SEC. 18. *Final examination.* After the information outlined in section 17 of this announcement has been received or the time for submitting such statements has expired, the board shall continue to examine in the order drawn a sufficient number of the remaining applications to determine the applicants who will be permitted to purchase farm units. This examination will determine the sufficiency, authenticity, and reliability of the information and evidence submitted by the applicants. If the examination indicates that an applicant is qualified, the applicant shall be required to appear for a personal interview with the board for the purpose of: (a) Affording the board any additional information it may desire relative to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit, and (c) affording the applicant an opportunity to examine the farm units.

If an applicant fails to appear before the board for a personal interview on the date requested, he will thereby forfeit his priority position as determined by the drawing.

If the board finds that an applicant's qualifications fulfill the requirements prescribed in this announcement, such applicant shall be notified, in person or by registered mail, that he is a qualified applicant and shall be given an opportunity to select one of the farm units then available for purchase. Such notice will require the applicant to make a field examination of the farm units available to him and in which he is interested, to select a farm unit, and to notify the board of such selection within the time specified in the notice.

If the applicant fails to supply any of the information required or the board finds that the applicant's qualifications do not meet the requirements prescribed in this announcement, the applicant shall be disqualified and shall be notified by the board, by registered mail, of such disqualification and the reasons therefor and of the right to appeal to the Regional Director within the time and in the manner prescribed in section 15 of this announcement.

Selection of Farm Units

SEC. 19. *Order of selection.* The applicants who have been notified of their qualification for the purchase of a farm unit will successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a successful applicant to exercise his right of selection or failure to complete his purchase, it will be offered to the next qualified applicant who has not made a selection at the time the unit is again available. An applicant who is considered to be disqualified as a result of the personal interview will be permitted to exercise his right to select, notwithstanding his disqualification, unless he voluntarily surrenders this right in writing. If, on appeal, the action of the board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by qualified ap-

plicants who have not exercised their right to select.

If any of the farm units listed in this announcement remain unselected after all qualified applicants whose names were selected in the drawing have had an opportunity to select a farm unit, and if additional applicants remain in the First Priority Group, the board will follow the same procedure outlined in section 16 of this announcement in the selection of additional applicants from this group.

If any of the farm units remain unselected after all qualified applicants in the First Priority Group have had an opportunity to select a farm unit, the board will follow the same procedure to select applicants from the Second Priority Group and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the qualified applicants from the First Priority Group.

Any farm units remaining unselected after all qualified applicants in the Second Priority Group have had an opportunity to select a farm unit will be offered to applicants in the Third Group in the order in which their applications were filed, subject to the determination of the board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualifications prescribed in this announcement.

If any farm units offered by this announcement remain unsold for a period of two years following the date of this announcement, the District Manager, Columbia River District, Bureau of Reclamation, may sell, lease, or otherwise dispose of such units to qualified applicants without regard to the provisions of section 16 of this announcement.

SEC. 20. *Failure to select.* If any applicant refuses to select a farm unit or fails to do so within the time specified by the board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that group.

Purchase of Selected Unit

SEC. 21. *Execution of purchase contract—a. Units owned wholly by the United States.* When a whole farm unit owned by the United States is selected by an applicant as provided in section 19 of this announcement, the District Manager will promptly give the applicant a written notice confirming the availability to him of the unit selected and will furnish the necessary purchase contract, together with instructions concerning its execution and return. In that notice the District Manager will also inform the applicant of the amount of the irrigation charges assessed by the East Columbia Basin Irrigation District or, if such charges have not been assessed, of an estimate of the amount of the charges for the year in which the purchase is made, to be deposited with the District Manager.

If the purchase is made subsequent to May 1 of any year, a deposit will be required to cover the payment of water charges for the next full irrigation season following the purchase.

b. Unit owned by the United States and Northern Pacific Railway Company. The successful applicant who selects the farm unit described in section 1, owned in part by the United States and in part by the Northern Pacific Railway Company, will be able to acquire, at the official appraised value, the part owned by the company under arrangements concluded between it and the United States. When that unit is selected by the applicant, as provided in section 19 of this announcement, the District Manager will (1) promptly notify the Railway Company of this action; (2) give the applicant written notice confirming the availability to him of the part owned by the United States; and (3) furnish the necessary purchase contract covering the part owned by the United States, together with instructions concerning its execution and return and the necessary information on the amount of assessment charges to be deposited by him in accordance with subsection 21.a. of this announcement. The applicant shall thereafter, as promptly as possible, acquire or contract to acquire the part owned by the railway company. To avoid forfeiture of the right to purchase the part owned by the United States, the applicant shall, within sixty (60) days following the receipt of the notice and purchase contract from the District Manager, provide the District Manager with evidence of the acquisition of or contract to acquire the part owned by the railway company.

SEC. 22. *Terms of sale.* Contracts for the sale of farm units pursuant to this announcement will contain, among others, the following principal provisions:

a. *Down payment.* An initial or down payment of not less than 20 percent of the purchase price of the lands being purchased from the United States will be required. Larger proportions, or the entire amount of the price, may be paid initially at the purchaser's option.

b. *Schedule for payment of balance; interest rate.* If only a portion of the purchase price is paid initially, the remainder will be payable within a period of 20 years following the date of the contract. No payments on the principal, except the down payment, will be required during the first three years and the District Manager may postpone such payments for as long as the first five years of the contract. Interest on the unpaid balance at the rate of three percent per annum, however, will be payable annually. When payments on the principal are resumed, they will be payable each year. The schedule of principal payments, which will be established by the District Manager, will provide for relatively small payments during the first years and larger payments during the later years of the contract period. Payment of any or all installments, or any portion thereof, may be made before their due dates at the purchaser's option.

c. *Development requirements.* In order that the irrigable area of the entire farm unit shall be developed with reasonable dispatch, each purchaser will be required, as a minimum, to clear, level, irrigate, and plant to crops by the end of each of the calendar years indicated below, and to maintain in crops thereafter, the following areas of irrigable land:

Size of farm unit in irrigable acres	Percentage of irrigable land to be developed by end of each year (period will begin with year of purchase if contract is executed and water is available on or before May 1 of that year; otherwise, period will begin with the next calendar year)			
	Second year	Third year	Fourth year	Fifth year
10 to 40	75	----------	----------	----------
41 to 60	50	75	----------	----------
61 to 80	50	65	75	----------
81 to 100	40	60	65	75
101 to 160	35	50	65	75

d. *Residence requirements.* A major objective of the settlement program for the Columbia Basin Project is to assist and encourage the permanent settlement of farm families. In keeping with this objective, each purchaser will be required to do the following with respect to residence: (1) Within one year from the date of his contract, or within one year from the date that water is available to the irrigation block in which the farm unit is located, whichever is later, to initiate residence by actually moving onto the unit, such residence to be maintained by living thereon for not less than 12 months within an 18-month period following the initial date of residence, and (2) before receiving title to the unit under the purchase contract, to establish a permanent and habitable dwelling on the unit. The time for compliance with the initiation of residence may be extended by the District Manager for periods of as long as six months, upon his determination that an extension is necessary to avoid undue hardship to the purchaser and that it will not be detrimental to the orderly development of the irrigation block. The latest permissible date for initiating residence, however, will not be extended for more than one year in addition to the one-year period specified above. In extraordinary situations, the requirements under (1) and (2) above may be waived entirely upon the determination by the Regional Director, after recommendation by the District Manager, that such waiver will be in the interest of orderly development of the block. Any such waiver, however, shall be conditioned on the requirement that the purchaser reside close enough to his unit to permit him to develop it through his own efforts.

e. *Speculation and landholding limitations.* Purchase contracts and deeds covering farm units offered by this announcement will include provisions governing (1) maximum permissible sizes of holdings of irrigable land; (2) continued conformance of land to the area and boundaries of the farm unit plat for the block; (3) prices at which land can be resold during a period of five years following the date on which water is made available to the irrigation block; (4) disposal of land should it become excess at any time, and (5) limitations as to total area that may be operated on the project whether as lessee or as owner or both.

f. *Copies of contract form.* The terms listed above, and all other standard contract provisions, are contained in the purchase contract form, copies of which may be obtained by writing to the Bureau of Reclamation, Ephrata, Washington; Coulee Dam, Washington; Post Office Box 937, Boise, Idaho, or Washington 25, D. C.

Irrigation Charges

SEC. 23. *Water rental charges.* During the irrigation season of 1952, while some construction activities will be continuing and the system is being tested, it is expected that water will be furnished on a temporary rental basis to those desiring it. The terms of payment, which will be at a fixed rate per acre-foot of water used, will be announced by the Regional Director before the beginning of the irrigation season.

SEC. 24. *Development period charges.* Pursuant to the provisions of the repayment contract of October 9, 1945, between the United States and the East Columbia Basin Irrigation District, the Secretary of the Interior will announce a development period of ten years for Irrigation Block 40, during which time payment of construction charge installments will not be required. This period probably will commence with the calendar year 1953. During the development period, water rental charges will average an estimated $4.20 per irrigable acre per year. This figure is preliminary and subject to change because all the data needed to fix the charges are not available nor can they be obtained now. In any event, there will be a minimum charge per farm unit each year whether or not water is used. A notice establishing the details of the plan to be followed and announcing charges and governing provisions for the first year of the development period will be issued prior to January 1 of that year, by the Regional Director, who has the responsibility for fixing these charges.

The present plans of the Regional Director are (a) to vary the minimum charge according to the anticipated relative repayment ability of the various land classes; (b) to provide for a small minimum charge for the first year and to increase it each year thereafter so that the charge for the tenth year will be approximately equal to the combined construction and operation and maintenance charge for the following years, and (c) to charge for water in excess of the amount furnished for the minimum charge on an acre-foot basis. The minimum charge will entitle each user to a quantity of water to be specified by the Regional Director, varying with the water requirement classification of the land and the size of the farm unit.

In addition to the water rental charges, the Irrigation District will levy an additional charge to cover administrative costs and probable delinquencies in collections.

SEC. 25. *Construction period repayment charges—a. Operation and maintenance charges.* After the development period has ended, water-users will pay a charge for operation and maintenance of the project irrigation system which will be uniform for the irrigation blocks throughout the project. These charges may or may not be graduated among land classes. Assessment procedure will be left for the Irrigation District Board of Directors to determine, but, in any case, there will be an annual minimum charge per acre. In order to encourage careful use of water, this annual minimum charge will entitle the water-user to one acre-foot of water per acre less than the amount of water normally required. The normal requirements for the various classes of land will be determined and announced as provided in the repayment contract with the East Columbia Basin Irrigation District. Water in excess of the quantity covered by the minimum charge will be paid for on an acre-foot basis in accordance with an ascending, graduated scale.

b. Construction charges. The contract between the United States and the East Columbia Basin Irrigation District requires the payment of construction charges for the project irrigation system during the forty years following the development period. The average construction charge per irrigable acre for the entire project will be $2.12 per year. Thus, the total construction charge payment will average $85 per irrigable acre. The contract further provides that construction charges shall be graduated according to the relative repayment ability of the land; consequently, the charge per irrigable acre will be larger for the better lands than for the poorer lands. This allocation of construction charges by classes of land will be made as soon as practicable.

WILLIAM E. WARNE,
Acting Secretary of the Interior.

[F. R. Doc. 50-10702; Filed, Nov. 27, 1950; 8:46 a. m.]

Geological Survey

KANSAS, MONTANA, NEW MEXICO, OKLAHOMA AND WYOMING

DEFINITIONS OF KNOWN GEOLOGIC STRUCTURES OF PRODUCING OIL AND GAS FIELDS

Former paragraph (c) of § 227.0, Part 227, Title 30, Chapter II, Code of Federal Regulations (1947 Supp.), codification of which has been discontinued by a document published in Part II of the FEDERAL REGISTER dated December 31, 1948, is hereby supplemented by the addition of the following list of structures defined effective as of the dates shown:

NAME OF FIELD, EFFECTIVE DATE, AND ACREAGE	
(3) KANSAS	
Hugoton Field (revision), Aug. 24, 1950	2,397,113
(4) MONTANA	
Bowdoin Field (additional), Oct. 6, 1950	218,441
(5) NEW MEXICO	
Roberts Field (revision and consolidation), Oct. 9, 1950	3,446
(7) OKLAHOMA	
Hugoton Field (revision), Aug. 24, 1950	923,458
(9) WYOMING	
Heart Mountain Field, April 23, 1950	1,209

THOMAS B. NOLAN,
Acting Director.

[F. R. Doc. 50-10697; Filed, Nov. 27, 1950; 8:45 a. m.]

DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of Accounts

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1950, 40th Supp.]

SWISS REINSURANCE CO.

SURETY COMPANY ACCEPTABLE ON FEDERAL BONDS

NOVEMBER 17, 1950.

Swiss Reinsurance Company, Zurich, Switzerland (U. S. office, New York, N. Y.)

A certificate of Authority has been issued by the Secretary of the Treasury to the above company as a reinsuring company only on Federal bonds. An underwriting limitation of $1,213,000.00 has been established for the company.

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 50-10725; Filed, Nov. 27, 1950; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4586]

WEST COAST COMMON FARES CASE

NOTICE OF HEARING

In the matter of the West Coast passenger fare structure.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 404, and 1002 of said act, that hearing in the above entitled proceeding is assigned to be held on December 11, 1950, at 10:00 a. m., e. s. t., in Room E-214, Temporary Building No. 5, Sixteenth and Constitution Avenue NW., Washington, D. C., before Examiner F. Merritt Ruhlen.

Without limiting the scope of the issues presented by the Order of Investigation, particular attention will be directed to the following matters and questions:

1. To what extent, if any, are or will the fares, charged, collected or received by each of the carriers to this proceeding (jointly or individually) for air transportation of persons between the pairs of points (including intermediate points) embraced by the investigation be unjust or unreasonable or otherwise in violation of the Civil Aeronautics Act of 1938, as amended, particularly sections 404 and 1002?

2. To what extent, if any, are, or will the classifications, rules, (including routings) regulations, or practices affecting the fares under investigation which permit stop-overs, without additional charge at any of the points embraced by the investigation (including intermediate points), be unjust or unreasonable, or otherwise in violation of the act?

3. To the extent, if any, that the fares or charges referred to above are or may be unlawful, what are the lawful fares and charges to be determined and prescribed or what other action should be taken by the Board?

4. To the extent, if any, that the classifications, rules, regulations or practices affecting the fares and charges under investigation are or will be unlawful, what are the lawful classifications, rules, regulations, or practices to be determined and prescribed or what other action should be taken by the Board?

For more detailed information with reference to the issues involved herein attention is directed to the Board's Order of Investigation, the Prehearing Conference Report and the revisions thereof dated August 23, 1950 and October 24, 1950, respectively, all on file with the Board in the Docket of this proceeding.

Notice is also given that any person, other than parties of record as of November 20, desiring to be heard in this proceeding must file with the Board on or before December 11, 1950, a statement setting forth the issues of fact or law raised by this proceeding on which he desires to be heard.

Dated at Washington, D. C., November 20, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 50-10704; Filed, Nov. 27, 1950; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9393]

KWHK BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re applications of KWHK Broadcasting Company, Inc. (KWHK), Hutchinson, Kansas, Docket No. 9393; File No. BP-6831; for construction permit.

The Commission having under consideration a petition filed November 9, 1950, by KWHK Broadcasting Company, Inc., requesting continuance, for a period of at least 30 days, of the hearing on the above-entitled application presently scheduled to commence November 27, 1950, at Hutchinson, Kansas; and

It appearing, that request for reconsideration and grant of application for construction permit without hearing will shortly be filed with the Commission; and

It further appearing, that the granting of the petition for continuance not only will not adversely affect any parties to the proceeding, but may eliminate the necessity for a hearing on petitioner's application; and

It further appearing, that no opposition to the granting of the instant petition has been filed with the Commission;

It is ordered, This 17th day of November 1950 that the petition be, and it is hereby, granted; and the hearing herein presently scheduled for November 27, 1950, be, and it is hereby continued to a date to be fixed by subsequent order.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 50-10742; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9393]

KWHK BROADCASTING CO., INC.

ORDER AMENDING ISSUES

In re application of KWHK Broadcasting Company, Inc. (KWHK), Hutchinson, Kansas, Docket No. 9393, File No. BP-6831; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration the above-entitled application of KWHK Broadcasting Company, Inc., for a construction permit to change the facilities of Station KWHK, Hutchinson, Kansas from frequency 1190 kilocycles, 1 kilowatt power, daytime only to frequency 1260 kilocycles, 1 kilowatt power, unlimited time and to install a directional antenna for day and night use;

It appearing, that the said application for construction permit was designated for hearing by Commission order of July 20, 1949, in a consolidated proceeding with an application of The Hutchinson Publishing Company for a permit to construct a new standard broadcast station at Hutchinson, Kansas, and that a petition for dismissal of the latter application without prejudice was granted on February 27, 1950; and

It further appearing, that on December 28, 1949, KWHK Broadcasting Company, Inc. filed an application for transfer of control (File No. BTC-869; Docket No. 9610), which application was designated for hearing by Commission order of March 20, 1950; and

It further appearing, that by Commission order of June 1, 1950, the two aforementioned applications of KWHK Broadcasting Company, Inc. for construction permit and for transfer of control were consolidated into one proceeding, and the place of hearing was specified as Hutchinson, Kansas; and

It further appearing, that on June 22, 1950, the Commission designated for hearing an application (File No. BP-7502; Docket No. 9714) of KADA Broadcasting, Incorporated, to change facilities of Station KSMI, Wewoka, Oklahoma, in consolidation with the two aforementioned applications of KWHK Broadcasting Company, Inc.; and

It further appearing, that on July 7, 1950, the Commission granted a petition of KWHK Broadcasting Company, Inc. to dismiss its application for transfer of control (File No. BTC-869; Docket No. 9610); and

It further appearing, that on October 13, 1950 the Commission granted a petition of KADA Broadcasting, Incorporated (KSMI) to amend its application for construction permit (File No. BP-7502; Docket No. 9714), which application, as amended, was removed from hearing; and

It further appearing, that as a result of the aforementioned Commission actions, the only application presently remaining in hearing status is the above-entitled application of KWHK Broadcasting Company, Inc., for a construction permit; and

It further appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station KWHK as proposed, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That on the Commission's own motion the Commission orders of June 1, 1950 and June 22, 1950 are amended by the deletion of all issues promulgated in the two aforesaid orders and by the substitution therefor of the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KWHK as proposed, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of Station KWHK, as proposed, would involve objectionable interference with Station KAKE, Wichita, Kansas, or any other existing United States broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of Station KWHK as proposed, would involve objectionable interference with Station XEMF, Monclova, Coahuila, Mexico, or with any other existing foreign broadcast station and, if so, the nature and extent of such interference.

4. To determine whether the installation and operation of Station KWHK as proposed, would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That KAKE Broadcasting Company, Incorporated, licensee of Station KAKE, Wichita, Kansas, is made a party to this proceeding;

It is further ordered, That this hearing will commence at 10:00 a. m. on January 19, 1951 at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 50-10743; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket Nos. 9479, 9667, 9740]

RALPH D. EPPERSON (WPAQ) ET AL.

ORDER CONTINUING HEARING

In re applications of Ralph D. Epperson (WPAQ), Mount Airy, North Carolina, Docket No. 9479, File No. BP-7153; News Journal Corporation (WNDB), Daytona Beach, Florida, Docket No. 9667, File No. BP-6983; The Fort Industry Company (WAGA), Atlanta, Georgia,

Docket No. 9740, File No. BP-7593; for construction permits.

The Commission having under consideration a petition filed November 10, 1950, by The Fort Industry Company (WAGA), Atlanta, Georgia, requesting that the hearing herein, presently scheduled to be heard in Washington, D. C., on December 8, 1950, be continued for at least sixty days; and

It appearing that counsel for the other parties applicant have consented to the grant of this petition and that no opposition to the petition has been filed;

It is ordered, This 17th day of November 1950, that the petition of The Fort Industry Company be and it is hereby granted and the hearing herein is hereby continued to February 8, 1951, at 10:00 a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10736; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9640]

SCRANTON RADIO CORP.

ORDER CONTINUING HEARING

In re application of Scranton Radio Corporation, Scranton, Pennsylvania, Docket No. 9640, File No. BP-7184; for construction permit.

The Commission having under consideration a petition filed November 10, 1950, by Scranton Radio Corporation, Scranton, Pennsylvania, requesting a 60-day continuance of the hearing presently scheduled for November 30, 1950, at Washington, D. C., in the proceeding upon its above-entitled application for construction permit; and

It appearing, that no opposition to the granting of the instant petition has been filed with the Commission;

It is ordered, This 17th day of November 1950, that the petition is granted; and that the hearing in the proceeding upon the above-entitled application is continued to 10:00 a. m., Tuesday, January 30, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10737; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9695]

ROBERT HECKSHER

ORDER AMENDING ISSUES

In re application of Robert Hecksher, Ft. Myers, Florida, Docket No. 9695, File No. BP-7582; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration a petition, filed November 1, 1950, by Robert Hecksher, to delete from the Commission's order of October 25, 1950, those issues relating to petitioner's legal, technical, financial and other qualifications and issues relating solely to a comparative proceeding and to restate as the sole issues in the above-entitled proceeding those issues set forth in the Commission's order of June 1, 1950, relating exclusively to engineering matters.

It appearing, that the above-entitled application of Robert Hecksher for a permit to construct a new standard broadcast station on the frequency 1400 kilocycles, with 250 watts power, unlimited time, at Ft. Myers, Florida, was designated for hearing June 1, 1950, on engineering issues only; and

It further appearing, that by Commission order of October 25, 1950, the Commission designated for hearing an application of Antonio G. Fernandez, Charles J. Fernandez, William P. Carey and Gonzalo Fernandez, d/b as Sarasota Broadcasting Company for change of facilities of station WKXY, Sarasota, Florida (File No. BP-7861; Docket No. 9823) in a consolidated proceeding with the above-entitled application of Robert Hecksher upon issues relating to both competing applicants' legal, technical, financial and other qualifications, as well as issues relating to certain engineering matters; and

It further appearing, that on October 30, 1950, Sarasota Broadcasting Company (WKXY) filed a petition to dismiss its application without prejudice, which petition was granted on that date by the Commission; and

It further appearing, that as a result of the aforementioned Commission actions, the only application presently remaining in hearing status is the above-entitled application of Robert Hecksher for a construction permit; and

It further appearing, that a hearing on the technical phases of the above-entitled application was held on October 31, 1950, and that at the conclusion thereof the proceeding was adjourned sine die; and

It further appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That the subject petition of Robert Hecksher is granted, and that the Commission order of October 25, 1950, in the above-entitled proceeding is amended by the deletion of all issues promulgated in that order and by the substitution therefor of the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with station WFTL, Fort Lauderdale, Florida, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Gore Publishing Company, licensee of Station WFTL, Fort Lauderdale, Florida, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10735; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9738]

WHARTON COUNTY BROADCASTING CO., INC. (KULP)

ORDER CONTINUING HEARING

In re application of Wharton County Broadcasting Company, Inc. (KULP), El Campo, Texas, Docket No. 9738, File No. BP-7644; for construction permit.

The Commission having under consideration a motion filed on November 8, 1950, by the Wharton County Broadcasting Company, Inc. (KULP), El Campo, Texas, requesting that the hearing on the above-entitled application, now scheduled to be held on November 16, 1950, at Washington, D. C., be postponed for an indefinite period; and

It appearing, that on November 8, 1950, the petitioner herein also filed a motion requesting the Commission to remove the above-entitled application from the hearing docket and to grant or deny the same under the special waiver procedure relative to broadcast applications prescribed in § 1.391 of its rules of practice and procedure; and

It further appearing, that the Commission will not be able to act, prior to November 16, 1950, upon the said motion requesting the removal of the above-entitled application from the hearing docket and the disposition thereof on its merits under § 1.391, supra, and that ultimate action on such motion may obviate the necessity for a hearing; and

It further appearing, that all of the parties to the proceeding have consented to a grant of the instant motion for continuance;

It is ordered, This 14th day of November 1950, that the above motion be, and it is hereby, granted, and that the hearing on the above-entitled application is continued until further order.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10738; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9759]

MT. AIRY BROADCASTERS, INC.

ORDER CONTINUING HEARING

In re application of Mt. Airy Broadcasters, Inc., Mount Airy, North Caro-

lina, Docket No. 9759, File No. BP-7653; for construction permit.

The Commission having under consideration a petition filed November 13, 1950, by Mt. Airy Broadcasters, Inc., Mount Airy, North Carolina, requesting a 45-day continuance of the hearing presently scheduled for November 27, 1950, at Washington, D. C., in the proceeding upon its above-entitled application for construction permit; and

It appearing, that Counsel for the other parties to this proceeding have consented to a grant of the petition and to a waiver of § 1.745 of the Commission's rules and regulations to permit the early consideration of this request;

It is ordered, This 17th day of November 1950, that the petition is granted; and that the hearing in the above-entitled proceeding is continued to 10:00 a. m., Friday, January 12, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10740; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9791]

VOICE OF DIXIE, INC. (WVOK)

ORDER CONTINUING HEARING

In re application of Voice of Dixie, Inc. (WVOK), Birmingham, Alabama, Docket No. 9791, File No. BMP-4825; for modification of construction permit.

The Commission having under consideration a petition filed November 10, 1950, by Voice of Dixie, Inc. (WVOK), Birmingham, Alabama, requesting a 60-day continuance of the hearing presently scheduled for December 4, 1950, at Washington, D. C., in the proceeding upon its above-entitled application for modification of construction permit; and

It appearing, that no opposition to the granting of the instant petition has been filed with the Commission;

It is ordered, This 17th day of November 1950, that the petition is granted; and that the hearing in the above-entitled proceeding is continued to 10:00 a. m., Thursday, February 8, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10741; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9834]

GREAT NORTHERN RADIO, INC. (WWSC)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Great Northern Radio, Inc. (WWSC), Glens Falls, New York, Docket No. 9834, File No. BMP-5335; for extension of completion date.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration the above-entitled application of Great Northern Radio, Inc. requesting extension of completion date from October 11, 1950, to March 1, 1950, to complete construction authorized by BP-6402 at Glens Falls, New York.

It appearing, that the Commission on August 11, 1949, granted without hearing a permit authorizing Great Northern Radio, Inc. to change the facilities of Station WWSC, Glens Falls, New York from 1450 kc, 250 watts, unlimited time to 1410 kc, 1 kilowatt power to local sunset, 500 watts night, to install a new transmitter, change transmitter location and to install a directional antenna for nighttime use subject to appropriate conditions; and

It further appearing, that Great Northern Radio, Inc. has not completed the construction within the time specified in the construction permit; and

It further appearing, that on October 23, 1950, the Commission denied the above-entitled application and by letter dated October 23, 1950, gave the applicant 20 days within which to request a hearing on the above-entitled application;

It further appearing, that, on November 2, 1950, Great Northern Radio, Inc. through its attorney Philip M. Baker, filed a request for a hearing on the above-entitled application for extension of completion date for the authorized construction at Glens Falls, New York;

It is ordered, That, the Commission's action of October 23, 1950, denying the above-entitled application is set aside; and

It is further ordered, That, pursuant to sections 309 and 319 of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing to commence at 10:00 a. m., December 15, 1950, at Washington, D. C. upon the following issues:

1. To determine whether the failure of Great Northern Radio, Inc. to complete construction of the authorized standard broadcast station at Glens Falls, New York and to have the station ready for operation was due to causes not under its control.

2. To determine whether said corporation, its officers, directors, and stockholders, have been diligent in proceeding with the construction of the authorized standard broadcast station at Glens Falls, New York.

3. To determine whether in view of the evidence adduced in connection with the foregoing issues, the date specified for the completion of construction of the station should be extended, and if so, to what date.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10739; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9514]

CROSLEY BROADCASTING CORP. (WINS)

ORDER AMENDING ISSUES

In re application of Crosley Broadcasting Corporation (WINS), New York, New York, for extension of completion date; Docket No. 9514, File No. BMP-4758.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration a petition filed on January 25, 1950 by Crosley Broadcasting Corporation requesting reconsideration and grant without hearing of its above-entitled application for extension of completion date for the construction authorized under application File Number BP-3026, as modified, for change in facilities of Station WINS, New York, New York, from frequency 1180 kilocycles, 1 kilowatt power, daytime only to frequency 1010 kilocycles, 50 kilowatts power, unlimited time, to install a new transmitter, and to install a directional antenna for day and night use;

It appearing, that the said application for construction permit was granted on February 25, 1941, and that application for modification of the construction permit to change frequency from 1000 kilocycles to 1010 kilocycles was granted on October 5, 1943; and

It further appearing, that on February 9, 1944, Station WINS was granted a license to operate on frequency 1010 kilocycles with 10 kilowatts power and that on May 29, 1947 application for modification of license was granted to cover, in part, the said construction permit as modified, to permit operation with 50 kilowatts power daytime, 10 kilowatts nighttime, employing the transmitter specified in its outstanding construction permit; and

It further appearing, that the above-entitled application was designated for hearing by Commission order of November 30, 1950 and that on March 31, June 23, and October 23, 1950, petitions to amend the said application to change the estimated date for completion to June 26, 1950, September 26, 1950, and January 26, 1951, respectively were granted; and

It further appearing, that Crosley Broadcasting Corporation has not completed the construction of Station WINS as proposed and that the station is not now ready to operate in compliance with the terms of the said construction permit as modified;

It is ordered, That the said petition is denied and that hearing on the said application shall commence at 10:00 a. m., on January 18, 1951, at Washington, D. C.;

It is further ordered, That on the Commission's own motion, the order of November 30, 1950, designating the above-entitled application for hearing is amended to change issue 3 therein to issue 6 and to include therein the following issues:

3. To determine the present performance of the nighttime WINS directional antenna system operating with 50 kilowatts power as contemplated in the application for construction permit (File Number BP-3026, as modified) and the construction permits issued pursuant thereto.

4. To determine whether the nighttime WINS directional antenna system as authorized in the said construction permits is such that the array can be adjusted

and maintained so as to radiate the specified values of energy as contemplated in the application for construction permit (File Number BP-3026, as modified) and the construction permits issued pursuant thereto, and if so, whether under normal operating tolerances the proposed array will be sufficiently stable to protect existing foreign and United States broadcast stations.

5. To determine whether the operation of Station WINS as contemplated in the application for construction permit (File Number BP-3026, as modified) and the construction permits issued pursuant thereto would involve interference from external or internal cross modulation with Stations WMGM, WOV, WBNX, or any other existing stations.

It is further ordered, That Marcus Loew Booking Agency, Wodaam Corporation, and WBNX Broadcasting Company, Incorporated, licensees of Stations WMGM, WOV, and WBNX, respectively, are made parties to the proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10733; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9587]

PRATT BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re applications of Clem Morgan and Robert E. Schmidt d/b as Pratt Broadcasting Company, Pratt, Kansas, for construction permit; Docket No. 9587, File No. BP-7395.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate at Pratt, Kansas, with the facilities 1570 kilocycles, 250 watts power, daytime only;

It appearing, that the applicant is legally, technically, and otherwise qualified to operate the proposed station, but that in addition to an inadequate financial showing the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m., on January 9, 1951, at Washington, D. C., upon the following issues:

1. To determine the financial qualifications of the applicant partnership and its partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the character of other broadcast service available to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with Station KVGB, Great Bend, Kansas, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That KVGB, Inc., licensee of Station KVGB, Great Bend, Kansas, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
SECRETARY.

[F. R. Doc. 50-10726; Filed, Nov. 27, 1950; 8:49 a. m.]

[Docket Nos. 9641, 9809, 9810]

DAVID M. BALTIMORE ET AL.

ORDER AMENDING ISSUES

In re applications of David M. Baltimore, Scranton, Pennsylvania, Docket No. 9641, File No. BP-7541; the Scranton Times (co-partnership), Elizabeth R. Lynett and Edward J. Lynett, Jr. (WQAN), Scranton, Pennsylvania, Docket No. 9809, File No. BP-7791; Richard G. Evans tr/as Radio Pittston FM and Television Company, Pittston, Pennsylvania, Docket No. 9810, File No. BP-7815, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration the above-entitled applications of David M. Baltimore requesting a construction permit for a new standard broadcast station to operate on 1450 kc, with 250 w power, unlimited time, at Scranton, Pennsylvania; the Scranton Times (WQAN) requesting a construction permit for a change of facilities to operate on 1450 kc, with 250 w power, unlimited time, at Scranton, Pennsylvania; and Richard G. Evans tr/as Radio Pittston FM and Television Company, requesting a construction permit for a new standard broadcast station to operate on 1450 kc, with 250 w power, unlimited time, at Pittston, Pennsylvania;

It appearing, that the above-entitled applications were designated for hearing in a consolidated proceeding by Commission order of October 6, 1950; and

It further appearing, that Issue No. 6 of the Commission's order contains a reference to the coverage of the Scranton-Wilkes Barre metropolitan area provided by the two Scranton applications; and

It further appearing, that by releases issued by the Executive Office of the President, Bureau of the Budget, dated July 28, 1950, and October 17, 1950, the metropolitan area in question has been defined as the Scranton metropolitan area with geographical boundaries to coincide with Lackawanna County, Pennsylvania; and

It further appearing, that a more precise determination of the coverage of the Scranton metropolitan area by the Scranton applications can be made by the use of the latest metropolitan area definitions;

It is ordered, That the Commission's order of October 6, 1950, designating the above-entitled applications for hearing is amended to show the deletion of so much of Issue Number 6 as reads "Scranton-Wilkes-Barre Metropolitan Area" and the substitution of "Scranton metropolitan area" in lieu thereof.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10734; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9673]

GLACUS G. MERRILL

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Glacus G. Merrill, Ironton, Ohio, for construction permit; Docket No. 9673, File No. BP-7595.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration the above-entitled application of Glacus G. Merrill for a new standard broadcast station to be operated on the frequency 1230 kilocycles, with 250 watts of power, unlimited time at Ironton, Ohio;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m., on January 18, 1951, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Stations WCOL, Columbus, Ohio; WCOM, Parkersburg, West Virginia; and WLOG, Logan, West Virginia, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other

broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to the day and night coverage to the Huntingdon-Ashland Metropolitan District.

It is further ordered, That Pixley's Inc., licensee of Station WCOL, Columbus, Ohio; Parkersburg Broadcasting Company, licensee of Station WCOM, Parkersburg, West Virginia; and Clarence H. Frey and Robert O. Greever, a partnership, licensee of Station WLOG, Logan, West Virginia, are made parties to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10732; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket Nos. 9806, 9816]

ALLEN B. DUMONT LABORATORIES, INC., ET AL.

ORDER INSTITUTING INVESTIGATION

Allen B. DuMont Laboratories, Inc., complainant, v. American Telephone and Telegraph Company, et al., defendants, Docket No. 9806; in the matter of American Telephone and Telegraph Company, et al., allocation of usage of intercity video transmission facilities, Docket No. 9816.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of November 1950;

The Commission having under consideration the complaint filed with the Commission by Allen B. DuMont Laboratories, Inc., on September 28, 1950, against the American Telephone and Telegraph Company and other Bell System companies, alleging, among other things, that allocations of usage of intercity video transmission facilities of the Long Lines Department of American Telephone and Telegraph Company made pursuant to paragraph II-A-4 of the AT&T Tariff F. C. C. No. 216 are unlawful under the Communications Act of 1934, as amended, in that they are alleged to be unjust, unreasonable and discriminatory, and unduly and unreasonably advantageous to National Broadcasting Company and Columbia Broadcasting System, and, among other things, requesting that the Commission institute an investigation into the tariff schedules governing allocation of video transmission facilities; and the answer to the above-mentioned complaint filed by the American Telephone and Telegraph Company and other Bell System companies on October 30, 1950, denying that the allocations referred to in the complaint are unlawful; and also having under consideration the Commission's order of October 18, 1950, in Docket No. 9816, instituting an investigation into the lawfulness of the above-mentioned tariff schedules of the American Telephone and Telegraph Company and other Bell System companies, governing the allocation of usage of intercity video transmission facilities, and of the allocations made pursuant thereto;

It appearing, that issues raised by the above-mentioned complaint of Allen B. DuMont Laboratories, Inc., and answer of American Telephone and Telegraph Company and other Bell System companies are substantially similar to the issues involved in the proceeding in Docket No. 9816, In the Matter of American Telephone and Telegraph Company, et al.—Allocation of usage of intercity video transmission facilities;

It is ordered, That, pursuant to the provisions of sections 201, 202, 203, 205 and 208 of the Communications Act of 1934, as amended, an investigation is instituted into the matters complained of in the above-mentioned complaint of Allen B. DuMont Laboratories, Inc.;

It is further ordered, That, the hearing examiner assigned to the proceedings in Docket No. 9816 shall conduct hearings and receive evidence herein, concurrently with the hearings in said Docket, and the record so made shall constitute a joint record in such proceedings; and that said hearing examiner shall certify such joint record to the Commission for decision and shall not prepare either a Recommended or Initial Decision therein (see the Commission's order of October 18, 1950, in Docket No. 9816).

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10731; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9830]

ROBERT J. ROUNSAVILLE (WQXI)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Robert W. Rounsaville (WQXI), Buckhead, Georgia, for construction permit; Docket No. 9830, File No. BP-7645.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration the above-entitled application of Robert W. Rounsaville for construction permit to change the hours of operation from daytime only to unlimited time, change power from 5 kw, day to 500 watts, with 5 kw until local sunset, install directional antenna for night use and make changes in transmitting equipment at Station WQXI, Buckhead, Georgia;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station WQXI as proposed, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m., on January 9, 1951, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station WQXI as proposed, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of Station WQXI as proposed would involve objectionable interference with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such area and populations.

3. To determine whether the installation and operation of Station WQXI as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to (1) nighttime coverage to the unincorporated district of Buckhead, Georgia; (2) nighttime coverage to the Atlanta Metropolitan District; (3) the ratio of the population within the normally protected and actual nighttime interference-free contours to the population which would receive satisfactory service; and (4) the possibility of cross-modulation and re-radiation problems with Station WGST, Atlanta, Georgia.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10727; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9831]

HEART OF THE BLACK HILLS STATION (KDSJ)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of John Daniels, Eli Daniels and Harry Daniels d/b as Heart of the Black Hills Station (KDSJ), Deadwood, South Dakota, for construction permit; Docket No. 9831, File No. BP-7597.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration the above-entitled application requesting a construction permit to change the facilities of Station KDSJ from 1450 kc, 250 w, unlimited, to 1420 kc, 500 w, 1 kw-LS, unlimited time;

It appearing, that the applicant is legally, technically, financially, and otherwise qualified to operate Station KDSJ, as proposed, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice; particularly with reference to the coverage of the city of

Deadwood, South Dakota, and its business and industrial areas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m., on January 11, 1951, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of Station KDSJ, as proposed, would involve objectionable interference with Stations KUJ, Walla Walla, Washington and KTOE, Mankato, Minnesota or any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the coverage of the city of Deadwood and its business and industrial areas.

It is further ordered, That KUJ, Incorporated, licensee of Station KUJ, Walla Walla, Washington and Minnesota Valley Broadcasting Company, licensee of Station KTOE, Mankato, Minnesota are made parties to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10728; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9832]

CAMELLIA BROADCASTING CO., INC. (KLFY)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Camellia Broadcasting Co., Inc. (KLFY), Lafayette, Louisiana, for construction permit; Docket No. 9832, File No. BP-7666.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1950;

The Commission having under consideration the above-entitled application requesting a construction permit to change the facilities of station KLFY from 1390 kc, 500 w, daytime only to 1420 kc, 500 w—1 kw LS, DA-N, unlimited time;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station KLFY, as proposed; that no interference would be caused to any existing or proposed United States station but that the proposed station may involve interference with one or more existing foreign stations and otherwise not comply with the Standards of Good Engineering Practice; particularly with reference to the areas and populations which would receive satisfactory nighttime service;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m., on January 12, 1951, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station XEH, Monterrey, N. L., Mexico, or with any other existing foreign broadcast station and, if so, the nature and extent of such interference.

3. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the areas and populations which will receive satisfactory nighttime service.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10730; Filed, Nov. 27, 1950; 8:50 a. m.]

[Docket No. 9833]

CUSTER COUNTY BROADCASTING CO. (KCNI)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Custer County Broadcasting Company (KCNI), Broken Bow, Nebraska, for construction permit; Docket No. 9833, File No. BP-7679.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1950.

The Commission having under consideration the above-entitled application requesting a construction permit to change the facilities of Station KCNI, Broken Bow, Nebraska from frequency 1490 kilocycles, 250 watts power, unlimited time to frequency 1430 kilocycles, 1 kilowatt power, daytime only;

It appearing, that the applicant is legally, technically, financially, and otherwise qualified to operate Station KCNI as proposed but that in view of the loss of the only nighttime local service to the city of Broken Bow, Nebraska a grant of the application may not be in the public interest, convenience, and necessity;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at 10:00 a. m., on January 16, 1951, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KCNI as proposed and the character of other broadcast service available to those areas and populations.

2. To determine whether, in view of the loss to the city of Broken Bow, Nebraska, of its only local nighttime radio service, the operation of Station KCNI as proposed would serve the public interest, convenience and necessity.

3. To determine whether the operation of Station KCNI as proposed, rather than as at present, would provide a fair, efficient, and equitable distribution of radio service to Broken Bow, Nebraska, within the meaning of section 307 (b) of the Communications Act of 1934, as amended.

4. To determine whether the installation and operation of Station KCNI as proposed would be in compliance with the Commission's rules and standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to the population residing within the 250 mv/m blanket contour.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-10729; Filed, Nov. 27, 1950; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1532]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

NOTICE OF APPLICATION

NOVEMBER 21, 1950.

Take notice that Kansas-Nebraska Natural Gas Company, Inc. (Applicant), a Kansas corporation, address, Phillipsburg, Kansas, filed on November 8, 1950, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain transmission pipeline facilities hereinafter described.

Applicant proposes to increase the capacity of its natural-gas pipeline system from approximately 146,000 Mcf per day of natural gas to approximately 164,200 Mcf per day and for such purpose to construct and operate three new compressor stations to be located at Holcomb and Albion, in Kansas and at Grand Island, Nebraska, totalling 3,570 horse power, additional cooling equipment at its Scott City, Kansas Compressor Station, a 44,000 Mcf capacity dehydration plant at the proposed Holcomb, Kansas Compressor Station, and approximately 16 miles of 12¾-inch loop and 76½ miles of 12¾ pipeline replacing a like amount of existing 6⅝- and 8⅝-inch line, approximately 5 miles of 10¾-inch and 54 miles of 8⅝-inch pipeline, approximately 109 miles of 6⅝-inch and 53½ miles of 4½-inch pipeline, and approximately 101½ miles of 3½-inch and 102½ miles of 2⅜-inch lateral pipeline together with town border stations for delivery of natural gas for service to 37 communities in Nebraska. Applicant proposes to serve the following communities at retail: Palmer, St. Paul, Fullerton, Belgrade, Genoa, St. Edward, Cedar Rapids, Albion, Petersburg, Elgin, Oakdale, Neligh, Clearwater, Ewing, Orchard,

Page, Inman, O'Neill, Plainview, Creighton, Osmond, Wausa, Bloomfield, Randolph, Coleridge, Laurel, and Hartington. The Town of Pierce, Nebraska, is proposed to be served by Applicant at wholesale, and Applicant proposes to sell natural gas at the town border stations to Central Electric and Gas Company for resale in the following communities: Newman Grove, Lindsay, Humphrey, Madison, Battle Creek, Meadow Grove, Tilden, Norfolk, and Stanton. Applicant states that only the communities of Neligh and Norfolk, Nebraska, are presently supplied with artificial gas service.

The estimated total over-all capital cost of the proposed facilities for which authorization is requested by Applicant is $5,201,331. The proposed financing has been discussed but has not been completed. Applicant states that the discussions were sufficient to convince Applicant that the financing will be satisfactorily completed.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 11th day of December 1950. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-10705; Filed, Nov. 27, 1950; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25591]

SOUND DEADENING COMPOUNDS, MICHIGAN TO GEORGIA POINTS

APPLICATION FOR RELIEF

NOVEMBER 22, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent for carriers parties to his tariff I. C. C. No. 4300, pursuant to fourth-section order No. 9800.

Commodities involved: Compounds, sound deadening, carloads.

From: Dearborn, Detroit and Ecorse, Mich.

To: Atlanta, Ga., and other Georgia points.

Grounds for relief: Competition with rail carriers. Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-10711; Filed, Nov. 27, 1950; 8:48 a. m.]

[4th Sec. Application 25592]

LUMBER TO MEMPHIS, TENN.

APPLICATION FOR RELIEF

NOVEMBER 22, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. 926 pursuant to fourth-section order no. 16101.

Commodities involved: Lumber and related articles, carloads.

From: Helena, Ark., Natchez, Miss., and New Orleans, La.

To: Memphis, Tenn.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-10712; Filed, Nov. 27, 1950; 8:48 a. m.]

[4th Sec. Application 25593]

SLAG FROM SLIGO AND MT. PLEASANT, TENN.

APPLICATION FOR RELIEF

NOVEMBER 22, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3736.

Commodities involved: Slag (except ground open hearth basic slag or basic phosphate slag), carloads.

From: Sligo and Mt. Pleasant, Tenn.

To: Specified points in Arkansas, Kansas, Oklahoma and Texas.

Grounds for relief: Competition with rail carriers. Circuitous routes.

Schedules filed containing proposed rates; D. Q. Marsh's I. C. C. 3736, Supp. 150.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-10713; Filed, Nov. 27, 1950; 8:48 a. m.]

[4th Sec. Application 25594]

CRUDE SULPHUR TO DANVILLE, ILL.

APPLICATION FOR RELIEF

NOVEMBER 22, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3862.

Commodities involved: Sulphur (brimstone), crude, unground and unrefined, carloads.

From: Texas producing points and Port Sulphur, La.

To: Danville, Ill.

Grounds for relief: Competition with water carriers.

Schedules filed containing proposed rates: D. Q. Marsh's I. C. C. 3862, Supp. 57.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because

of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-10714; Filed, Nov. 27, 1950; 8:48 a. m.]

[4th Sec. Application 25595]

POTATOES; MAINE TO PHILADELPHIA, PA.

APPLICATION FOR RELIEF

NOVEMBER 22, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to Agent I. N. Doe's tariff I. C. C. No. 570.

Commodities involved: Potatoes, carloads.

From: Points in Maine.

To: Philadelphia, Pa., and Camden, N. J., and adjacent points.

Grounds for relief: Competition with rail carriers. Circuitous routes.

Schedules filed containing proposed rates: I. N. Doe's tariff I. C. C. 570, Supp. 26.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-10715; Filed, Nov. 27, 1950; 8:48 a. m.]

[4th Sec. Application 25596]

PUMICE AGGREGATE TO FLORIDA

APPLICATION FOR RELIEF

NOVEMBER 22, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Cmmerce Act.

Filed by: R. E. Boyle, Jr., Agent, for parties to Agent C. A. Spaninger's tariff I. C. C. No. 998.

Commodities involved: Pumice aggregate (crude pumice stone), carloads.

From: Points in southern territory.

To: Points in Florida.

Grounds for relief: Competition with rail carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. 998, Supp. 148.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-10716; Filed, Nov. 27, 1950; 8:48 a. m.]

[4th Sec. Application 25597]

ACIDS AND VARIOUS COMMODITIES FROM SOUTHERN TERRITORY

APPLICATION FOR RELIEF

NOVEMBER 22, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to tariffs (listed in exhibit A of application), pursuant to fourth-section order no. 9800.

Commodities involved: Acids and various other commodities, carloads.

From: Points in southern territory.

To: Points in southern and official territories.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-10717; Filed, Nov. 27, 1950; 8:48 a. m.]

[4th Sec. Application 25598]

ASBESTOS FIBRE; VERMONT TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

NOVEMBER 22, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to Agent Doe's tariff I. C. C. No. 580, pursuant to fourth-section order No. 9800.

Commodities involved: Asbestos fibre, asbestos waste or refuse, and shorts, carloads.

From: East Alburgh, Hyde Park, Morrisville, Newport and Norton, Vt.

To: Specified points in Alabama, Florida, Georgia, Louisiana, North Carolina and South Carolina.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-10718; Filed, Nov. 27, 1950; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2392]

PHILADELPHIA CO.

ORDER RELEASING JURISDICTION OVER FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of November 1950.

The Commission by orders dated June 21, 1950, and June 28, 1950, having granted and permitted to become effective an application-declaration, as amended, with respect to various transactions, pursuant to sections 9 (a), 11 (b), 12 (c) and 12 (d) of the Public

Utility Holding Company Act of 1935 and Rules U-42, U-44, and U-50, promulgated thereunder, regarding the sale, pursuant to the competitive bidding requirements of Rule U-50, by Philadelphia Company ("Philadelphia"), a registered holding company and a subsidiary of Standard Gas and Electric Company, also a registered holding company, of $11,000,000 principal amount of twenty-year 3⅜ percent Sinking Fund Debentures due March 1, 1970, of Equitable Gas Company, a former subsidiary of Philadelphia; the application of the proceeds from such sale, to the extent required, to the redemption and retirement of Philadelphia's then outstanding 100,000 shares of $6 Cumulative Preferred Stock, at the redemption price of $110 per share plus an amount equal to all dividends accrued and unpaid thereon at the redemption date; and said orders having reserved jurisdiction over all fees and expenses to be paid in connection with such transactions, including fees and expenses to be paid to counsel for the underwriters;

Applicant-declarant having filed a further amendment with respect to the fees and expenses proposed to be paid, as set forth below, and statements having also been filed in support of the fees and expenses proposed to be paid for professional services:

	Fees	Expenses
Reed, Smith, Shaw & McClay (counsel for Philadelphia)	$10,000	$1,100
Mudge, Stern, Williams & Tucker (counsel for Standard and Philadelphia)	5,000	477
Ralph E. Davis (engineer for Philadelphia)	2,500	----------
Haskins & Sells (accountants)	2,838	97
Sullivan, Donovan, Hennehan & Hanrahan (counsel for the underwriters-fee to be paid by the underwriters)	6,500	508
Registration fee	----------	1,155
Printing registration statement, bidding papers, etc	----------	20,000
State qualification and filing fees	----------	325
Redemption agent's fee	----------	2,500
Advertising and mailing costs	----------	1,500
Extra labor cost of company employees	----------	1,000
Telephone, telegraph, traveling, miscellaneous	----------	3,245

The Commission having considered such statements and finding that all fees and expenses proposed to be paid herein are not unreasonable, and deeming it appropriate that jurisdiction with respect thereto be released:

It is ordered, That the jurisdiction heretofore reserved over fees and expenses herein by said orders dated June 21, 1950, and June 28, 1950, be, and hereby is, released.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 50-10706; Filed, Nov. 27, 1950; 8:47 a. m.]

[File No. 70-2519]

UNION ELECTRIC CO. OF MISSOURI

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of November 1950.

Union Electric Company of Missouri ("Union"), a registered holding company and an electric utility subsidiary of The North American Company, also a registered holding company, having filed an application - declaration, and amendments thereto, pursuant to sections 6 (b) or 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act"), and Rule U-50 promulgated thereunder, with respect to the following transactions:

Union proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $25,000,000 principal amount of First Mortgage and Collateral Trust Bonds ___ percent series due 1980. The bonds are to be issued under and secured by a Mortgage and Deed of Trust dated June 15, 1937, as amended May 1, 1941, and a Supplemental Indenture to be dated December 1, 1950. The interest rate on the bonds (which shall be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be paid to the company (which shall not be less than 100 percent or not more than 102.75 percent of the principal amount of said bonds) are to be determined by competitive bidding. The proceeds from the sale of the bonds are to used by Union, in part, to retire $11,500,000 face amount of outstanding promissory notes and the balance will be expended in carrying on the system's construction program until the Fall of 1951.

The proposed issuance and sale of said bonds having been expressly authorized by the Missouri Public Service Commission, the State Commission of the State in which Union is organized and doing business; and

Said application-declaration and the amendments thereto having been duly filed, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act; and the Commission not having received a request for a hearing with respect thereto within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

Union having requested that the 10-day period for inviting bids, as provided in Rule U-50, be shortened to a period of 7 days and that the Commission's order become effective forthwith upon issuance; and

The Commission deeming it appropriate to consider the aforesaid amended application-declaration as a declaration pursuant to sections 6 (a) and 7 of said act and finding with respect to the proposed transaction that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied, and that it is not necessary to impose any terms and conditions other than those set forth below, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said amended declaration be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional conditions:

(1) That the proposed sale of the said bonds shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 shall have been made a matter of record herein and a further order shall have been entered with respect thereto in the light of the record as so completed, which may contain further terms and conditions as may then be deemed appropriate; and

(2) That jurisdiction be, and the same hereby is, reserved with respect to all fees and expenses incurred or to be incurred with respect to the transactions proposed herein.

It is further ordered, That the 10-day period for inviting bids, as provided in Rule U-50, be, and the same hereby is, shortened to a period of not less than 7 days.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 50-10708; Filed, Nov. 27, 1950; 8:47 a. m.]

[File No. 70-2523]

ATTLEBORO STEAM AND ELECTRIC CO. AND NEW ENGLAND ELECTRIC SYSTEM

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 20th day of November A. D. 1950.

Notice is hereby given that a joint application has been filed with the Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Electric System ("NEES"), a registered holding company, and its public-utility subsidiary, Attleboro Steam and Electric Company ("Attleboro"). Applicants designate sections 6 (b) and 10 of the act and Rule U-42 (b) (2) promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 4, 1950, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after December 4, 1950, said application, as filed, or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the office of this Commission for a statement

of the transactions therein proposed which are summarized as follows:

Attleboro proposes to issue and sell for cash to NEES 12,500 additional shares of capital stock (par value $25 per share) in the aggregate par value of $312,500. Such additional shares are to be offered to NEES, the sole stockholder of Attleboro, at the price of $45 a share. NEES proposes to acquire such shares and will use available cash for such purpose.

Attleboro presently has outstanding $500,000 of 3 percent promissory notes held by banks. The proceeds from the sale of the proposed additional shares of capital stock, amounting to $562,500, will be applied to the payment of such indebtedness and the balance is to be applied to the cost of properly capitalizable extensions, enlargements and additions to Attleboro's plant and property.

The application states that the Massachusetts Department of Public Utilities has jurisdiction over the proposed issuance and sale of common stock by Attleboro.

Incidental services in connection with the proposed transactions by Attleboro and NEES will be performed by New England Power Service Company, an affiliated service company, at the actual cost thereof. The cost to Attleboro and NEES of such services is estimated not to exceed $1,000 and $500, respectively. Total expenses to be borne by Attleboro and NEES are estimated at $1,700 and $500, respectively.

Applicants request that the Commission's order become effective upon the issuance thereof.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 50-10707; Filed, Nov. 27, 1950; 8:47 a. m.]

UNITED STATES TARIFF COMMISSION

[List No. D-12 (E)]

REYNOLDS METALS CO. AND KAISER ALUMINUM AND CHEMICAL CORP.

APPLICATION FOR INVESTIGATION DENIED AND DISMISSED

NOVEMBER 21, 1950.

On March 24, 1950, the Reynolds Metals Company filed with the Tariff Commission an application for an investigation under Executive Order 10082, with a view to invoking the Escape Clause of the General Agreement on Tariffs and Trade with respect to crude and semimanufactured aluminum. On April 7, 1950, the Kaiser Aluminum and Chemical Corporation filed a similar application and on April 20, 1950, the International Council of Aluminum Workers Union, American Federation of Labor, filed a statement in support of the application of the Reynolds Metals Company. On June 15, 1950, the Aluminum Import Corporation filed a statement in opposition to the application of the Reynolds Metals Company and the Kaiser Aluminum and Chemical Corporation to which the Reynolds Metals Company made rejoinder in a supplemental statement filed August 15, 1950. On September 5, 1950, the Eastern Metal Products Company filed a statement in opposition to the applications.

Meanwhile conditions in the aluminum market were rapidly changing. Since June 1950, the expanding national defense program has increased greatly the already large demand for aluminum. The increase in demand has in fact been so great as to create a severe shortage in the supply of aluminum, a shortage which is likely to persist for an indefinite period. So long as these conditions continue, there will be need for all the aluminum which can be obtained from any source, and imports from Canada will not be injurious to any segment of the domestic aluminum industry.

In view of the situation outlined above, the Commission today dismissed the applications for investigation under the escape clause with respect to crude and semimanufactured aluminum, without passing judgment upon the merits of the applications under the conditions which prevailed at the time the applications were filed. The interested parties will, of course, be free to submit new applications whenever it seems to them that changed conditions warrant it.

[SEAL] DONN N. BENT, *Secretary.*

[F. R. Doc. 50-10722; Filed, Nov. 27, 1950; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 15617]

SELMA MICHAELSON

In re: Rights of Selma Michaelson under insurance contract. File No. F-28-24438-H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Selma Michaelson, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 5637 755 A, issued by the Metropolitan Life Insurance Company, New York, New York, to Rudolph Schimmel, together with the right to demand, receive, and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F. R. Doc. 50-10686; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15618]

MARIA B. MISCHLEWITZ

In re: Rights of Maria B. Mischlewitz under insurance contract. File No. F-28-24606-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria B. Mischlewitz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 90 300 134, issued by the Metropolitan Life Insurance Company, New York, New York, to Maria B. Mischlewitz, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10687; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15619]

AUGUSTE POECKL

In re: Rights of Auguste Poeckl under insurance contract. File No. F-28-23588-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Auguste Poeckl, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 71,535, issued by the Workmen's Benefit Fund of the USA, Brooklyn, New York, to Georg Poèckl, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10688; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15620]

EMILIE RIEGER

In re: Rights of Emilie Rieger under contract of insurance. File No. D-28-11464-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emilie Rieger, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due to Emilie Rieger under a contract of insurance evidenced by Policy No. 88460 issued by the Workmen's Benefit Fund of the U. S. A., Brooklyn 27, New York, to William Mohn, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 10, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10689; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15177, Amdt.]

IWAICHIRO HAMAMOTO

In re: Cash owned by and debts owing to Iwaichiro Hamamoto also known as Inuoichico Hamamoto.

Vesting Order 15177, dated October 5, 1950, is hereby amended as follows and not otherwise:

1. By deleting from subparagraph 2b of said Vesting Order 15177 the words "Federal Reserve Bank of New York, New York, New York" and substituting therefor the following: "Division of Protective Services, Department of State", and

2. By deleting from subparagraph 2c of said Vesting Order 15177 the words "Federal Reserve Bank of New York, New York, New York" and substituting therefor the following: "Division of Protective Services, Department of State".

All other provisions of said Vesting Order 15177, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10691; Filed, Nov. 24, 1950; 8:50 a. m.]

[Vesting Order 15592]

GOTHAER LEBENSVERSICHERUNG A. G.

In re: Bonds owned by Gothaer Lebensversicherung a. G. F-28-31025.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gothaer Lebensversicherung a. G., the last known address of which is Gottingen, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Gottingen, Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain debts or other obligations, matured or unmatured, evidenced by six (6) The Chesapeake and Ohio Railway Company 4½ percent general bonds, due 1992, of $1,000 face value each, bearing the numbers 3199, 3724, 6541, 13195, 18776 and 33380, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with all rights in, to and under the said bonds,

b. Those certain debts or other obligations, matured or unmatured, evidenced by three (3) Liggett and Myers Tobacco Company, Inc., 5 percent debenture gold bonds, due August 1, 1951, of $1,000 face value each, bearing the numbers 950, 3721 and 7774, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with all rights in, to and under the said bonds,

c. Those certain debts or other obligations, matured or unmatured, evidenced by seven (7) Consolidated Edison Company of New York, Inc., 3½ percent Debenture Bonds, due April 1, 1956, of $1,000 face value each, bearing the numbers M3448, M7561, M7562, M7563, M9477, M9478 and M9479, and any and

all rights to demand, enforce and collect the aforesaid debts or other obligations, together with all rights in, to and under the said bonds, and

d. Those certain debts or other obligations, matured or unmatured, evidenced by seven (7) The Detroit Edison Company, 4½ percent General and Refunding Mortgage Series "D" Gold Bonds, due 1961, of $1,000 face value each, bearing the numbers DM1737, 9912, 9913, 38909, 38910, 46446 and 46447, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with all rights in, to and under the said bonds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 9, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10744; Filed, Nov. 27, 1950; 8:51 a. m.]

[Vesting Order 15654]

ANNA C. LOTTERHOFER

In re: Estate of Anna C. Lotterhofer, deceased. (File No. D-28-12391; E. T. sec. 16614).

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Rosa Lotterhofer Dohler, deceased, except Josephine Malley, a resident of Austria, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, except Josephine Malley, a resident of Austria, in and to the Estate of Anna C. Lotterhofer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Albert S. Herskowitz, Administrator, acting under the judicial supervision of the Orphans' Court, County of Philadelphia, Pennsylvania;

and it is hereby determined:

4. That to the extent that the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names, unknown, of Rosa Lotterhofer Dohler, deceased, except Josephine Malley, a resident of Austria, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 14, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10745; Filed, Nov. 27, 1950; 8:51 a. m.]

[Vesting Order 15697]

DR. HANS BERCKEMEYER

In re: Bonds and coupons owned by and debt owing to Dr. Hans Berckemeyer. F-28-31053.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Hans Berckemeyer, whose last known address is 15 Calandrellistrasse, Berlin-Lankwitz, Germany, is a resident of Germany and a national of a designated enemy country (Germany).

2. That the property described as follows:

a. Two (2) Florida East Coast Railway Company, First and Refunding Mortgage Gold Bonds, Series A, 5%, due 1974, each of $1,000 face value, bearing the numbers M-27820 and M-27821, and presently in the custody of the Federal Reserve Bank of New York, Customs Receipt No. 34044, and any and all rights thereunder and thereto,

b. One (1) Florida East Coast Railway Company, First and Refunding Mortgage Gold Bond, Series A, 5%, due 1974, of $1,000 face value, bearing the number M-27823, and presently in the custory of Mr. Harris Berger, 99 Woodhaven Street, Mattapan, Massachusetts, and any all all rights thereunder and thereto,

c. Seven (7) coupons detached from the Florida East Coast Railway Company, First and Refunding Mortgage Gold Bond, Series A, 5%, numbered M-27823, described in the aforesaid subparagraph 2 (b), said coupons each of $25 face value, due September 1, 1931 to September 1, 1934, and presently in the custody of the Federal Reserve Bank of New York, Customs Receipt No. 34316, together with any and all rights thereunder and thereto, and

d. That certain debt or other obligation, matured and unmatured, evidenced by one (1) Florida East Coast Railway Company, First and Refunding Mortgage Gold Bond, Series A, 5% due 1974, of $1,000 face value, bearing the number M-27822, together with any and all accruals to the aforesaid debt or other obligation and any all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid bond,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Dr. Hans Berckemeyer, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10746; Filed, Nov. 27, 1950; 8:51 a. m.]

[Vesting Order 15698]

G. DWARS

In re: Stocks owned by and debt owing to G. Dwars. F-28-30495.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That G. Dwars, whose last known address is Monheim, Bezirk Dusseldorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Twenty (20) shares of $25 par value common capital stock of The Chesapeake and Ohio Railway Company, Terminal Tower, Cleveland, Ohio, a corporation organized under the laws of the State of Virginia, evidenced by certificates numbered CX 36589, CX 36590, for ten shares each, registered in the name of N. V. Algemeene Trust Maatschappij, Amsterdam, together with all declared and unpaid dividends thereon,

b. Twenty (20) shares of $5 par value common capital stock of General Motors Corporation, 57th Street at Broadway, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered C 440-727, for 10 shares of $10 par value common capital stock, registered in the name of N. V. Amsterdamsch Administratiekantoor Van Amerikaansche Waarden, Amsterdam, Holland, together with all declared and unpaid dividends thereon, and all rights to receive a new certificate for 20 shares of $5 par value common stock,

c. Thirty (30) shares of no par value common capital stock of the Phillips Petroleum Company, 80 Broadway, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered 021436, 0222696, 0222697, for ten shares each, registered in the name of N. V. Maatschappij tot Beheer Van Het Administratiekantoor Van Amerikaansche Fondsen Opgerigt Door Broes & Gosman, Ten Have & Van Essen En Jarman & Zoonen Te Amsterdam, together with all declared and unpaid dividends thereon,

d. Fifty (50) shares of no par capital stock of the Kennecott Copper Corporation, 120 Broadway, New York, a corporation organized under the laws of the State of New York, evidenced by certificates numbered B 329522/26, registered in the name of Broekmans Administratiekantoor, N. V., together with all declared and unpaid dividends thereon,

e. Five (5) shares of $100 par value capital stock of the American Telephone and Telegraph Company, 195 Broadway, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered T N 19746, registered in the name of Administratiekantoor Van Aandeelen der American Telephone and Telegraph Company N. V., together with all declared and unpaid dividends thereon, and

f. That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, arising by reason of the receipt of dividends on the shares of stock described in subparagraphs 2-a to 2-e hereof, inclusive, since January 1, 1940, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by G. Dwars, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10747; Filed, Nov. 27, 1950; 8:51 a. m.]

[Vesting Order 15701]

ARON HIRSCH & SOHN

In re: Debt owing to Aron Hirsch & Sohn. F-28-7126-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Aron Hirsch & Sohn, the last known address of which is Friedrichstr. 103, 11 Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Katz & Sommerich, 120 Broadway, New York 5, New York, in the amount of $1,784.00, as of October 20, 1950, appearing on the books of said Katz & Sommerich as a balance collected from J. S. Bache & Co. in June 1936, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Aron Hirsch & Sohn, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10748; Filed, Nov. 27, 1950; 8:51 a. m.]

[Vesting Order 15702]

WALTER KARKLINAT

In re: Stock owned by Walter Karklinat. F-28-31041.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Walter Karklinat, whose last known address is Bad Kissingen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Forty (40) shares of $1.00 par value common capital stock of Electrolux Corporation, 500 Fifth Avenue, New York 18, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered LT1324/5 for ten (10) shares each, registered in the name of Mrs. Helen Mason, and LT1289/90 for ten (10) shares each, registered in the name of Helen Mason, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evi-

dence of ownership or control by Walter Karklinat, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10749; Filed, Nov. 27, 1950; 8:51 a. m.]

[Vesting Order 15706]

MINNIE RAPPOLT-REICHGOTT

In re: Bank account owned by Minnie Rappolt-Reichgott. F-28-28601-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Minnie Rappold-Reichgott, is a citizen of Germany, whose last known address is Rome, Italy, and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Minnie Rappolt-Reichgott, by National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Clean Credit Deposit Account, entitled Mrs. Minnie Rappolt-Reichgott, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-10750; Filed, Nov. 27, 1950; 8:51 a. m.]

[Vesting Order 15712]

MARIE LOUISE AUTH ET AL.

In re: Interest in real property owned by Marie Louise Auth and others. D-28-12688.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons, whose names and last known addresses appear below, are residents of Germany and nationals of a designated enemy country (Germany):

Names and Last Known Addresses

Marie Louise Auth, Herolz, Germany.
Franz Johann Auth, Herolz, Germany.
Bartholomaeus Auth, Herolz, Germany.
Theresia Christina Auth, Herolz, Germany.
Magdalene Moeller, Herolz, Germany.
Maria Theresia Moeller, Herolz, Germany.
Barbara Moeller, Herolz, Germany.
Maria Moeller, Herolz, Germany.
Anna Maria Moeller, Gruderstrasse 3, Schluchtern, Germany.
Wilhelm Zinkand, Herolz, Germany.
Anton Zinkand, Herolz, Germany.
Johann Adam Faust, Herolz, Germany.
Johann Friedrich Faust, Steinan, near Schluchtern, Germany.
Maria Magdalina Faust, Herolz, Germany.

2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Johannes Auth, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows: An undivided five-sixths (5/6ths) interest in real property situated in the City of St. Louis, State of Missouri, particularly described as Lot six (6) of the Russell Real Estate Company's Fifth Subdivision and in Block fifty-two hundred sixty-eight E (5268 E) of the City of St. Louis fronting thirty (30) feet in the south line of Oleatha Avenue by a depth Southwardly of one hundred twenty-six (126) feet and ten (10) inches, more or less to an alley, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Johannes Auth, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, all such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein, shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 16, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-10751; Filed, Nov. 27, 1950; 8:51 a. m.]

[Vesting Order 14743, Amdt.]

G. KODAMA ET AL.

In re: Safe deposit lease and contents owned by G. Kodama and the personal representatives, heirs, next of kin, legatees and distributees of T. Noritake, deceased.

Vesting Order 14743, dated June 9, 1950, is hereby amended as follows and not otherwise:

By deleting subparagraph 3 (b) of said Vesting Order 14743 and substituting therefor the following subparagraph 3 (b):

All property of any nature whatsoever of G. Kodama and T. Noritake, deceased, located in the safe deposit box referred to in subparagraph 3 (a) hereof and any and all rights of G. Kodama and the personal representatives, heirs, next of

kin, legatees and distributees of T. Noritake, deceased, evidenced or represented thereby which includes particularly, but is not limited to the following:

1. Cash in the amount of $40.00, and

2. One Hundred fifty (150) coupons detached from Tokyo Electric Light Company, Ltd., bonds due December 15, 1941, of the face value of $30.00 each, numbered 27, said coupons detached from bonds of the aforesaid company numbered as follows:

Coupon No.:	Number of coupons
792	1
793	1
794	1
2646	1
6707–6716	10
6723–6727	5
12085	1
13662	1
19241–19246	6
25425–25444	20
36566	1
39979–39980	2
43054–43074	21
43126–43199	74
57826	1
67510	1
68275–68276	2
69053	1

together with any and all rights thereunder and thereto.

All other provisions of said Vesting Order 14743 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 15, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50–10752; Filed, Nov. 27, 1950; 8:52 a. m.]

[Return Order 800]

S. A. CARISCH

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim Number, Notice of Intention To Return Published, and Property

Carisch, S. A., Via Broggi 19, Milano, Italy; Claim No. 40122; September 21, 1950 (15 F. R. 6321); $403.29 in the Treasury of the United States. Property to the extent owned by the claimant immediately prior to the vesting thereof by Vesting Order Nos. 1758 (9 F. R. 13773, November 17, 1944) and 2099 (8 F. R. 16464, December 7, 1943) relating to musical works listed in Schedule A of the vesting orders including royalties pertaining thereto in the amount of $403.29.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on November 20, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Director, Office of Alien Property.
Assistant Attorney General,

[F. R. Doc. 50–10753; Filed, Nov. 27, 1950; 8:52 a. m.]

BERNARD G. PETER AND ANNA MATHILDA POLEK

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Bernard G. Peter, Administrator of the Estate of Anna Mathilda Polek, deceased, Baltimore, Md.; Claim No. 5890; $31,219.69 in the Treasury of the United States.

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50–10754; Filed, Nov. 27, 1950; 8:52 a. m.]

JACQUES FRANCOIS GABRIEL CHOBERT

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Jacques Francois Gabriel Chobert, Saint Etienne, France; Claim No. 40676; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent Nos. 1,903,695; 1,916,605; 1,994,210; 2,011,472; 2,150,361; 2,153,073 and 2,216,385. Property described in Vesting Order No. 667 (8 F. R. 4996, Apr. 17, 1943) relating to United States Letters Patent No. 1,923,812. Property described in Vesting Order No. 1028 (8 F. R. 4205, April 2, 1943) relating to United States Patent Application Serial Nos. 190,868; 286,712 and 286,713. Property described in Vesting Order No. 3197 (9 F. R. 3101, March 22, 1944) relating to United States Letters Patent No. 2,146,461.

Executed at Washington, D. C., on November 20, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50–10755; Filed, Nov. 27, 1950; 8:52 a. m.]

ROGER DUBUSC

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provisio for taxes and conservatory expenses:

Claimant; Claim No.; Property

Roger Dubusc, Boulogne (Seine) France; Claim No. 38711; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent No. 2,234,235.

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50–10756; Filed, Nov. 27, 1950; 8:52 a. m.]